

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.**

O.A.210/00251/2017

Date of decision : April 28, 2017.

Coram: Hon'ble Shri Arvind J. Rohee, Member (J).

Shri A.M. Balsane,
Sub Divisional Engineer,
(L/A, AGM),
BSNL, Telecom District
Dhule-424311
Residing at:-

Flat No. Plot No.71,
Bhagwati Nagar,
Vidhyanagari Post Office,
Deopur Dhule-424311. Applicant.

(By Advocate Shri G.B. Kamdi).

Versus

1. Bharat Sanchar Nigam Ltd.,
through Chairman &
Managing Director,
Bharat Sanchar Bhawan
H.C. Mathur Lane,
Janpath, New Delhi-110 001.
2. Chief General Manager,
BSNL, Maharashtra Circle,
Admn Building, Juhu Danda,
Santacruz (W), Mumbai-400054.
3. The General Manager,
BSNL, Dhule Telecom District,
BSNL Dhule-424 311. Respondents.

Order (Oral)

The applicant who is presently working as Sub Divisional Engineer, BSNL Telecom District Dhule, approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking for the

following reliefs:-

"a) This Hon'ble Tribunal be pleased to call for records and after examining the legality, validity and propriety of the case be pleased to declare the action of the respondent regarding not conducting the DPC years to years and directing to hold the look after duties without additional remunerations is illegal, null & void.

b) This Hon'ble Tribunal may direct the respondent to hold DPC as early possible without applying the reservation principle in promotion to the post of AGM/DE.

c) Further the Hon'ble Tribunal may direct the respondent to consider the case of the Applicant for promotion from the date of promotion given to his Juniors.

d) Any other and further orders as this Hon'ble Tribunal may deem fit, proper and necessary in the facts and circumstances of the case.

e) The cost of this original application be provided."

2. The applicant has grievance regarding inaction on the part of the respondents to hold the DPCs regularly for grant of promotion to the eligible employees. In this behalf the record shows that the applicant has submitted a representation dated 14.02.2017 (Annexure A-6) to the respondent No.1. It is stated that there is no response from the other end.

3. In view of the above position, respondent

No.1 is directed to consider and pass speaking order on the pending representation of the applicant, within a period of four weeks from the date of receipt of certified copy of this order in accordance with law.

4. The order so passed shall be communicated to the applicant at the earliest. In case the applicant's grievance still persists, he will be at liberty to approach the appropriate forum.

5. The O.A. stands disposed of with the above directions at the admission stage, without issuing notice to the respondents and keeping all the legal pleas open.

(Arvind J. Rohee)
Member (J).

H.