

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00380/2017

DATED THIS THE 20th DAY OF NOVEMBER, 2018

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI DINESH SHARMA, MEMBER (A)

Vinay A.Patwardhan,
S/o/o Late K.G.Ashathanarayana Rao,
Aged about 32 years,
working as Telecom Technician,
O/o the Sub Divisional Engineer,
Kankanadi, Mangalore,D.K. District,

...Applicant

(By M/S Subba Rap & CO..... Advocate)

Vs.

1. The Union of India,
rep by Secretary to Government,
Department of Telecommunications,
New Delhi.

2.The General Manager,(Recruitment)
Corporate Office,
Bharat Sanchar Nigam Limited,
No.233, 2nd Floor, Eastern Court,
H.C. Mathur Lane,
Janpath, New Delhi 110 001.

3.Assistant General Manager,(Recruitment-1)
Corporate Office,
Bharat Sanchar Nigam Limited,
No.233, 2nd Floor, Eastern Court,
H.C. Mathur Lane,
Janpath, New Delhi 110 001.

4.The Chief General Manager,
Telecoms, Karnataka Circle,
Doora Samparka Bhavan,
No.1, Swamy Vivekananda Road,
Hulsoor,Bangalore 560 008.

5.The Deputy General Manager(P&EF),

O/o The Chief General Manager,
Telecoms, Karnataka Circle,
Doora Samparka Bhavan,
No.1, Swamy Vivekananda Road,
Hulsoor,Bangalore 560 008. ...Respondents

(By Shri Gajendra Vasu, Sr.Panel Counsel for R-1)
(By Shri Vishnu Bhat, Sr.Panel Counsel for R2-5)

O R D E R (ORAL)

HON'BLE DR. K.B. SURESH, MEMBER(J)

1. Heard. Apparently the applicant challenges the reversion made on the ground that he got one mark less. But, later on, it was found that the key answer given was wrong and it had to be corrected. But, there are other grounds also. There were 118 vacancies. Selection was on the basis of vacancies. Only 69 were selected. Therefore, there cannot be any question of reversion of the applicant.
2. Shri Vishnu Bhat submits that this matter is being examined at the Corporate Office level. But, then that need not bind our hands any more. We hold that reversion is bad in law and quash the reversion. We direct that the applicant may be posted to the promoted post.
3. OA is allowed with all benefits. It may be done within next one month. No order as to costs.

(DINESH SHARMA
MEMBER(A)
bk.

(DR. K.B. SURESH)
MEMBER (J)

Annexures referred to by the applicant in OA.No.380/2018

Annexure A-1: Copy of notification dated 1.3.2016

Annexure A-2: Copy of Hall Ticket to the applicant

Annexure- A-3.A copy of list dated 26.8.2016

Annexure- A-4.A copy of Result Sheet of examination of applicant

Annexure- A-5.A copy of order dated 14.10.2016

Annexure- A-6.A copy of Relieve order dated 18.11.2016

Annexure- A-7.A copy of appointment order of applicant dated 19.11.2016

Annexure- A-8.A copy of Relieving order dated 21.11.2016

Annexure- A-9.A copy of job chart

Annexure- A-10.A copy of modified merit list letter dated 21.2.2017

Annexure- A-11.A copy of objections filed by the applicant

Annexure- A-12.A copy of reversion order dated 25.5.2017

Annexures referred to by the respondents 2-5 in the Reply Statement

Annexure R1: Copy of order dt. 10.2.2017

Annexure R2: Copy of undertaking dt. 21.11.2016

Annexures referred to by the applicant in rejoinder

Annexure- A-13.A copy of online RTI application

Annexure- A-12.A copy of reversion order dated 25.5.2017

....

bk