

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

**TRANSFERRED APPLICATION NO. 291/14/2012
(S.B. Civil Writ Petition No. 87/2007)**

DATE OF ORDER: 10.01.2019

CORAM

**HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER**

Shri Manmohan Sharma S/o Shri Ramchandra, aged 51 years, R/o 509, Vidhyut Nagar, Ajmer Road, Jaipur at present serving as Officiating J.T.O. w.e.f. 7.4.2005 (with Artificial breaks in Department of B.S.N.L. Posted as NIB-II, PGMTD, Jaipur.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. The Director, Bharat Sanchar Nigam Limited, 10th Floor, Statesman House, B-148, Barkhamba Road, New Delhi.
2. The Chief General Manager (Telecom), Rajasthan Circle, Bharat Sanchar Nigam Limited, Sardar Patel Marg, Jaipur.
3. The Principal General Manager, Telecom District, Bharat Sanchar Nigam Limited, M.I. Road, Jaipur.

....Respondents

Mr. N.S. Yadav, counsel for respondents.

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

In the present Transferred Application (T.A.), the applicant is seeking a direction to respondents to promote him on the post of J.T.O. from the date when his junior Shri Omprakash Ghiya was promoted.

2. Shri P.N. Jatti, learned counsel for the applicant stated that the applicant was denied promotion from the date when his junior was granted promotion because of the wrong fixation of seniority. He further stated that in order to seek his correct seniority, the applicant had submitted representations dated 25.02.2001 (Annexure A/6) and 05.12.2006 (Annexure-11) before the respondents, which have not yet been decided. He still further stated that the applicant would be satisfied if a time bound direction is given to respondent no. 2 to take a decision over his aforesaid representations.

3. Keeping in view the aforesaid limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Transferred Application, without entering into the merits of the case, with a direction to respondent no. 2 to take a decision over the applicant's representations dated 25.02.2001 and 05.12.2006.

4. Accordingly, the present Transferred Application is disposed of with a direction to respondent no. 2 to take a decision over the applicant's representations dated 25.02.2001 and 05.12.2006 by way of passing a reasoned and speaking order in accordance with law. A further direction is issued that the applicant as well as his alleged junior Shri Omprakash Ghiya shall also be afforded an opportunity of hearing before taking any decision over the aforesaid representations of the applicant.

The whole exercise shall be undertaken by respondent no. 2 within a period of three months from the date of receipt of a certified copy of this order.

Ordered accordingly. No order as to costs.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER

Kumawat