

**Central Administrative Tribunal
Principal Bench**

OA No.3043/2019

New Delhi, this the 22nd day of October, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Nand Kishor Bijaraniyan
Aged about 33 years,
S/o Shri Shrinarayan Jat,
Working as Assistant Director General (I.T.),
Department of Telecommunication,
Sanchar Bhavan, Ashoka Road,
New Delhi
R/o E-26, MTNL Staff Quarters
GH-17, Paschim Vihar,
New Delhi-87.

...Applicant

(By Advocate : Shri Somnath Bhattacharya)

Versus

1. Union of India through its
Secretary,
Department of Personnel & Training,
Ministry of Personnel, Public Grievance & Pension,
North Block, New Delhi.
2. The Secretary,
Department of Telecommunication,
Ministry of Communications,
419, Sanchar Bhavan,
20, Ashoka Road, New Delhi.
3. The Under Secretary,
STG-I Section,
Department of Telecommunication,
Ministry of Communications,
419, Sanchar Bhavan,
20, Ashoka Road, New Delhi.

...Respondents

ORDER (ORAL)**Justice L. Narasimha Reddy, Chairman :-**

The applicant was initially appointed as Executive Engineer in the National Thermal Power Corporation (NTPC) in the year 2009. Thereafter he responded to an advertisement, issued by the UPSC for selection to the Indian Engineering Service. He was selected therein and appointed in the Department of Telecommunications, on 16.07.2012. He made certain representations claiming benefit of pay protection. It is stated that the same are not responded to.

2. We heard Shri Somnath Bhattacharya, learned counsel for applicant, at the stage of admission.

3. The questions as to whether the applicant could have been extended the benefit of pay protection, whether there existed such facility when he was appointed, and whether it would bring about any complications vis-a-vis the other similarly situated persons, need to be considered by the respondents. The representations made by the applicant cannot be kept pending indefinitely. An early decision would be in the interest of all.

4. We therefore, dispose of the OA, without expressing any view on merits; directing the respondents to pass an order on the representations submitted by the applicant, within a period of three months, from the date of receipt of a certified copy of this order.

There shall be no orders as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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