



ALL INDIA BHARAT SANCHAR NIGAM LIMITED EXECUTIVES' ASSOCIATION

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No. AIBSNLEA/CHQ/CMD,BSNL/2013

Dated:04.06.2013

To

Shri R.K. Upadhyay,
CMD, BSNL
New Delhi-110001

Sub. : Undue delay in the disposal of WPCs filed by and against BSNL before the Hon'ble High Court of Kerala in the matter of seniority of TES Group-'B' Service – need for appropriate interference to avoid stalemate.

Respected Sir,

We would like to draw your kind attention on promotion from DE to DGM (Engg. Wing) and DE regular, which are pending for the last three years only because of a stalemate created by the pendency of certain writ petitions filed by and against BSNL in the Hon'ble High Court of Kerala in the matter of seniority of TES group B. OP CAT Nos. 2941/2011 and 3019/2011, WPC No 5406/2010, 26226/2010 etc in the matter of seniority of 147 competitive quota SDEs(T) were heard together by the Hon'ble High Court and reserved for final orders since last several months.

As you are aware several eligible DEs are retiring on superannuation without getting their eligible promotion to JAG posts only because of the stalemate created by the pending court cases. Now an uncertainty prevails as the pronouncement of orders is badly delayed for reasons not known. On enquiry we understood that a channel is still open before BSNL legal wing to approach the Hon'ble High Court, Kerala by filing a "re-posting petition" through the senior BSNL counsel stating the extreme hardship being suffered by the Dept in the absence of sufficient number of JAG appointments.

It is known that clear instructions /guidelines of the Hon'ble Supreme Court exist on handling similar situations and the Dept is entitled to file the reposting petition for the very purpose of bringing the stalemate condition to the notice of Hon'ble High Court, Kerala for an early pronouncement of the judgment.

We would therefore request you to kindly intervene in the matter and issue suitable instruction to the Pers. Cell for initiating such an attempt through Senior BSNL Counsel in the true interest of the company.

With kind regards,

Yours sincerely
-sd-
(Prahlad Rai)
General Secretary

Copy to:-

- (i) Sh. A.N. Rai, Director (HR), BSNL Board, New Delhi-110001
- (ii) Sh. A.K. Jain, Sr. GM(Pers.), BSNL CO, New Delhi-110001
- (iii) Sh. Neeraj Verma, GM(SR), BSNL CO, New Delhi-110001