

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT JAIPUR

MISC. APPLICATION NO...../2010

IN

ORIGINAL APPLICATION No. 579 / 2009

- 1 Ram Chandra Sharma S/o Shri Jhootha Ram Sharma, aged about 39 years, R/o K-4/15, LIC Flats, Vidhyadhar Nagar, Sector -6, Jaipur. (Presently working as Divisional Engineer (NIB) PGMTD, Jaipur)
- 2 Ramraj Meena S/o Shri Golya Ram Meena, aged about 36 years, R/o of 4/31, Sanchar Vihar Colony, Malaviya Nagar, Jaipur. (Presently working as Area Manager, Central PGMTD, Jaipur)
- 3 Gulab Chand Jinger S/ o Shri Ram Swaroop Jeenger, aged about 35 years, R/o 3/151, Sanchar Vihar Colony, Malaviya Nagar, Jaipur. (Presently working as Officiating DGM (NSS) CGMTD, Jaipur.

...Applicants

Versus

- 1 Union of India through Secretary Department of Tele Communication, Govt. of India, New Delhi.
- 2 The Bharat Sanchar Nigar Limited, through its Chairman & Managing Director, Statesman House, New Delhi.
- 3 Deputy General Manager (Personnel), Bharat Sanchar Nigam Limited, Corporate Office, Personnel Branch (DPC) 4th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi - 110001.
- 4 Secretary, Department of Personnel & Training, Government of India, New Delhi.

- 5 Shri Sudarshan Rao.B Father's name not known, presently working as Executive (STS) in Andaman Nicobar circle of BSNL.
- 6 Shri S.K.Rama Murthy father's not known , presently working as Executive (STS) in Western circle Jaipur of BSNL.

Respondents

MISC APPLICATION FOR BRINGING
SUBSEQUENT DOCUMENT ON RECORD AND
FOR STAYING THE OPERATION OF THE SAID
DOCUMENT.

MAY IT PLEASE THIS HON'BLE TRIBUNAL:

The humble applicants most respectfully submit as
under:-

- 1. That the applicants have filed the aforesaid O.a. before this Hon'ble Tribunal challenging the letter dated 9.12.2009 issued by respondent No.3 whereby the process of making promotion on the post of DGM (JAG) of Junior officers than applicants have been started ignoring the applicants who are admittedly senior to 277 officers included in the list appended to the said letter containing 279 officers.
- 2. That the aforesaid OA came to be listed before this Hon'ble tribunal on 23.12.2009 and the Hon'ble tribunal was pleased to issue notices to the respondents and was further pleased to direct that the applicants shall be considered provisionally for promotion on the post of DGM (T) on adhoc basis if persons are promoted mentioned in impugned letter dated 9.12.2009 . Thereafter the aforesaid OA was listed on 6.1.2010 and 11.2.2010 , 18.3.2010 and 1.4.2010 and the aforesaid

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interim order dated 23.12.2009 has been extended and it is still in operation.

3. That even after passing of the aforesaid order dated 23.12.2009, the respondent No. 3 has issued one order dated 1.4.2010 whereby promotions have been made on adhoc / temporary basis on the post of Executives (JAG level of telecom operation) grade without considering the applicants and as such the direction given by this Hon'ble tribunal has been flouted. The applicants have filed a contempt petition against respondent No. 2 and 3 for flouting the order dated 23.12.2009. The aforesaid order dated 1.4.2010 has been issued subsequently after filing the OA and the same deserves to be taken on record. For ready reference, a photo stat copy of the order dated 1.4.2010 is annexed and marked as ANNEXURE MA/1
4. That the aforesaid order dated 1.4.2010 has been issued promoting the persons junior to applicants on the post of Executives (JAG level of telecom operations) grade and the rights of applicants are adversely affected by it. Thus prima facie case and balance of convenience lies in favour of the applicants. As learnt to the applicants the persons so promoted have not yet joined and if the operation of the same is not stayed then the petitioners will suffer irreparable injury since they will have to work under the persons who are junior to them and the purpose of filing of the OA itself will be frustrated.

It is therefore, most humbly prayed that this M.A. may kindly be allowed and the copy of the order dated

1.4.2010 may kindly be taken on record and further the operation of the said order may kindly be stayed during the pendency of aforesaid O.A. and the respondents may be restrained from acting upon in pursuance of said order.

APPLICANTS

VERIFICATION

We, Ram Chandra Sharma S/o Shri Jhootha Ram Sharma, aged about 39 years, R/o K-4/15, LIC Flats, Vidhyadhar Nagar, Sector -6, Jaipur, Ram Raj Meena S/o Shri Golya Ram Meena, aged about 36 years, R/o 4/31, Sanchar Vihar colony, Malaviya Nagar, Jaipur, Gulab chand Jeengar S/o shri Ram Swaroop Jeengar, aged about 35 years, R/o 3/151, Sanchar Vihar colony, Malaviya Nagar, Jaipur, Dwarka Karol S/o shri Laxmi Narayan Karol, aged about 32 years, R/o D-9, J.P. Colony, Tonk Phatak, Jaipur. The above named applicants do hereby solemnly affirm and state that the contents of this application from para 1 to 4 are correct to the best of our knowledge and belief and as per record and nothing material has been concealed therein.

APPLICANTS