

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/891/2021

Jabalpur, this Wednesday, the 15th day of December, 2021

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



1. Rajeev Kumar Gangwar, (HR No.199401993), S/o Lt. Shri Kamta Prasad, aged about 51 years, Occupation : Assistant General Manager (L/A), BRBRAIT, Bharat Sanchar Nigam Ltd., Ridge Road, Jabalpur; R/o V/06, BRBRAIT Campus, Ridge Road, Jabalpur (M.P.) – 482001.

2. Ajay Kumar Tiwari, (HR No.199401984), S/o Lt. Dr. K.N. Tiwari, aged about 51 years, Occupation : Assistant General Manager (L/A), BRBRAIT, Bharat Sanchar Nigam Ltd., Ridge Road, Jabalpur; R/o Sai Arpan, 138, Sanjeevani Nagar, Jabalpur (M.P.) - 482003

-Applicants

(By Advocate – Shri Manoj Sharma)

Versus

1. Union of India through its Secretary, Ministry of Communication, Department of Telecommunication, Sanchar Bhawan, 20-Ashoka Road, New Delhi – 110001.

2. Bharat Sanchar Nigam Ltd through its Chairman & Managing Director, 7th Floor, Bharat Sanchar Bhawan, H.C. Mathur Lane, Janpath, New Delhi – 110001.



3. Director (HR), BSNL Corporate Office, 4th Floor, Bharat Sanchar Bhawan, H.C. Mathur Lane, Janpath, New Delhi – 110001.

4. Principal General Manager (Personnel), Bharat Sanchar Bhawan, H.C. Mathur Lane, Janpath, New Delhi - 110001

-Respondents

(By Advocate – Shri Surendra Pratap Singh)

ORDER

By Ramesh Singh Thakur, JM.

This Original Application has been filed by the applicants seeking direction to the respondents to promote them notionally on the post of AGM w.e.f. the date of promotion of their immediate General category junior candidate, i.e. 29.06.2018 (Annexure A-2) with all consequential benefits.

2. Short reply has been filed on behalf of respondents Nos.2 to 4. It has been submitted by the respondents that the DPC was convened in June, 2018 for promotion from SDE(T) to AGM/DE(T) and at the time of convening the DPC, the name of the applicants was also considered. But the promotion orders could not be issued due to non-receipt of Vigilance Clearance. Meanwhile, one Original Application No.750/2018 was filed before the Chandigarh Bench of this Tribunal in connection with promotion from SDE(T) to AGM/DE(T) on application of reservation in promotion, which was disposed of vide order dated 25.02.2020. Thereafter, the BSNL has filed an SLP No.639/2021 before the Hon'ble Supreme Court of India, in which the arguments have already been concluded and the SLP is reserved for orders and the final decision is awaited. The respondents have further stated in Para 5 of their reply that they are ready to promote the applicants vis-à-vis their juniors who have already been promoted in 2018 subject to final outcome of SLP No.639/2021.



3. Learned counsel for the applicants submits that the applicants will be satisfied if the conditional order is passed.
4. Accordingly, this Original Application is allowed and the respondents are directed to promote the applicants, in view of the submissions made by the respondents in Para 5 of their short reply. The said exercise regarding promotion of the applicants shall be done within four weeks from the date of receipt of a certified copy of this order. No order as to costs.



Sd/-
(Nam Jayaseelan)
Administrative Member
am/-

Sd/-
(Ramesh Singh Thakur)
Judicial Member

To, Shri Manoj Sharma,
Advocate
JBP

6390
17.12.2021

के.प्र.अ. प्रक्रिया नियमावली के नियम
22 के अंतर्गत निःशुल्क प्रतिलिपि

TRUE COPY

Section Officer
Central Administrative Tribunal
Labour Bench, Jabalpur