



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.10163 of 2013

1.The Assistant General Manager (Admn),
Office of the Chief General Manager,
Bharat Sanchar Nigam Limited,
Chennai Telephones,
Chennai - 600 010.

.... Petitioner

-Vs-

1.B.Vasugi

2.The Central Administrative Tribunal,
City Civil Court Building,
Chennai - 600 104.

.... Respondents

Write Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the 2nd respondent Tribunal made in T.A.No.17 of 2010 (W.P.No.336 of 2005) dated 29.02.2012 and quash the same.

For Petitioner : Mr.S.Udayakumar

For Respondents : Mr.P.Rajendran

O R D E R

[Order of the Court was delivered by P.T.ASHA,J.]

The above Writ Petition is filed challenging the order passed by the Central Administrative Tribunal, Madras Bench, dated 29.02.2012. The factual matrix in brief essential for a better understanding of the issue on hand is herein below narrated:

2.The 1st respondent who was the applicant before the Central Administrative Tribunal had been appointed as Technician in the year 1983 and thereafter since the cadre of Technician was declared as a wasting cadre they were absorbed into the restructured cadre of Telecom Technical Assistant (TTA). By a communication dated 15.12.1998, the Writ petitioner had informed that they intended to hold exams for the post of Junior Telecom



१२.३ आमेव अरुं

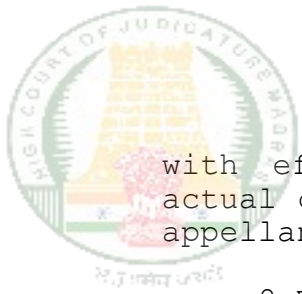
for t

for t

for t

for t

for t



with effect from 12.06.2000 with monetary benefits from the actual date of promotion. It is challenging this order that the appellant is before this Court.

8. When the matter was taken up for hearing the counsel for the 1st respondent/applicant would submit that on a similar issue the Karnataka High Court had held that if the promotion of employee was delayed because of the pendency of the Court proceedings, he shall be entitled to a deemed date of promotion viz; the date of promotion of their counter parts and the 1st respondent were also held to be entitled to all consequential benefits such as counting of experience for the purpose of promotion, annual increments etc., with effect from 23.01.2002. It was also clarified that they would not be entitled for arrears of pay from the date of such notional fixation. The said order which was challenged by way of a Special Leave Petition has also been confirmed by the Honourable Supreme Court.

Considering the above Judgement we do not find any justification in setting aside the order of the Tribunal. Consequently, the Writ Petition stands dismissed. There shall be no order as to cost.

Sd/-

Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

kan

To

The Central Administrative Tribunal,
City Civil Court Building,
Chennai - 600 104.

W.P.No.10163 of 2013

PP (CO)

RRS (22/08/2019)