

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.7425 of 2010

Date of Decision : 10.05.2012.

1. CWP No.7425 of 2010.

1. Bharat Sanchar Nigam Ltd. (A Govt. of India Enterprises), through its Managing Director, Corporate Office, 4th Floor, Bharat Sanchar Bhawan, Harish Chander Mathur Lane, Janpath, New Delhi.
2. Bharat Sanchar Nigam Ltd. (A Govt. of India Enterprises), through its Chairman and Managing Director, Corporate Office, 4th Floor, New Delhi.
3. Department of Telecommunications, Government of India, through its Secretary, Sanchar Bhawan, Ashoka Road, New Delhi.

.....Petitioners.

Versus

1. Shri Dhani Ram son of Late Shri Bhitu Ram (Staff No. 13630) Village Upper Barol, P.O. Dan, Tehsil Dharamshala, District Kangra, H.P.

.....Respondents.

2. Sohan Lal Staff No. 17119 C/o. Bharat Sanchar Nigam Limited, New Delhi.
3. Ram Prakash Gupta, Staff No.16586, C/o. Bharat Sanchar Nigam Limited, New Delhi.

.....Proforma Respondents.

2. CWP No.7426 of 2010

1. Bharat Sanchar Nigam Ltd. (A Govt. of India Enterprises), through its Managing Director, Corporate Office, 4th Floor, Bharat Sanchar Bhawan, Harish Chander Mathur Lane, Janpath, New Delhi.
2. Bharat Sanchar Nigam Ltd. (A Govt. of India Enterprises), through its Chairman and Managing Director, Corporate Office, 4th Floor, New Delhi.

3. Department of Telecommunications, Government of India, through its Secretary, Sanchar Bhawan, Ashoka Road, New Delhi.

.....Petitioners.

Versus

1. Shri Ashok Kumar son of Late Shri Gujjar Singh (Staff No. 32740) DE (Officiating) Mntce, Dehra, H.P.

.....Respondents.

2. Jatinder Kumar, Staff No.30661, C/o. Bharat Sanchar Nigam Limited, New Delhi.
3. Bhawani Dutt Sharma, Staff No.31012, C/o. Bharat Sanchar Nigam Limited, New Delhi.

.....Proforma Respondents.

3. CWP No.7427 of 2010

1. Bharat Sanchar Nigam Ltd. (A Govt. of India Enterprises), through its Managing Director, Corporate Office, 4th Floor, Bharat Sanchar Bhawan, Harish Chander Mathur Lane, Janpath, New Delhi.
2. Bharat Sanchar Nigam Ltd. (A Govt. of India Enterprises), through its Chairman and Managing Director, Corporate Office, 4th Floor, New Delhi.
3. Department of Telecommunications, Government of India, through its Secretary, Sanchar Bhawan, Ashoka Road, New Delhi.

.....Petitioners.

Versus

1. Shri Kalyan Singh son of Late Shri Murti Ram (Staff No. 17304) DE (Officiating) O/o GMTD Dharamshala, H.P.

.....Respondents.

2. Jatinder Kumar, Staff No.30661, C/o. Bharat Sanchar Nigam Limited, New Delhi.
3. Bhawani Dutt Sharma, Staff No.31012, C/o. Bharat Sanchar Nigam Limited, New Delhi.

.....Proforma Respondents.

Coram

*The Hon'ble Mr. Justice Kurian Joseph, Chief Justice
The Hon'ble Mr. Justice Dharam Chand Chaudhary, Judge.*

For the petitioners : Mr. Ashok Sharma, Advocate

**For the respondents : Mr. Dilip Sharma, Senior Advocate with
Ms. Nishi Goel, Advocate in CWP No.
7426 of 2010.**

Justice Kurian Joseph, C.J. (Oral)

The BSNL and others, who are respondents, before the Central Administrative Tribunal, Chandigarh Bench have filed these writ petitions challenging the order dated 15th March, 2010. The issue pertains to the fixation of seniority of Telegraphs Engineering Service Class II. We find that the order dated 15.3.2010 passed by the Administrative Tribunal was based on its earlier order dated 26th May, 2009 (Annexure R-1 in CWP 1664 of 2010) in T.A. No. 47-PB-09 and that was the subject matter of CWP No. 14817 of 2009 and connected petitions before the Punjab and Haryana High Court and that the said order has been upheld vide judgment dated 25.11.2011 (Annexure R-2 in CWP 1664 of 2010).

2. Though, Shri Ashok Sharma, learned counsel for the petitioner attempted to persuade to take a different view, we are unable to be persuaded by the submissions made by the learned counsel. We find that the judgment of the Division Bench of Punjab and Haryana High Court, Annexure R-2 has referred to the entire history of the service and has given finality to the long pending

dispute. We are in respectful agreement with the view taken by the Punjab and Haryana High Court.

3. In the above circumstances, these writ petitions are dismissed, so also the pending application(s), if any.

(Justice Kurian Joseph),
Chief Justice

10th May, 2012
(*priti/ps*)

(Justice Dharam Chand Chaudhary),
Judge.