

BHARAT SANCHAR NIGAM LIMITED
Recruitment wing
Room No.222, Eastern Court,
Janpath, New Delhi.

F.No 63-34/2014-DE

Dated 4th October, 2017

To

All Chief General Managers Telecom Circles, BSNL,
Chief General Manager Kolkata Telephones/Chennai Telephones.
Chief General Manager(Mice), NTR, BSNL, New Delhi

Subject: LICE of JAO 40% held in the year 2010-reg.

Sir,

I am directed to forward herewith copy of judgment dated 31.08.2017 of Hon'ble High Court, Jaipur against CWP No 12860/2015 titled BSNL Vs Gordhan Lal Ajmera challenging the judgement of Hon'ble CAT, Jaipur in the OA No 18/2011 titled Gordhan Lal Ajmera Vs BSNL. The writ petition has been disposed of setting aside the impugned order dated 03-12-2014.

2. It is requested that wherever required this judgment may also be quoted in the para-wise comments being prepared to defend the cases. The judgment may also be brought to the notice of the concerned courts in respect of ongoing Court cases if any, involving the similar issues.

Encl: As above

Yours faithfully,


4/10/17
AGM(Rect-II)



**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

O.B. Civil Writ Petition No. 12560 / 2015

1. Bharat Sanchar Nigam Limited, Through its Chairman and Managing Director, Corporate Office, Bharat Sanchar Bhawan, Harish Chand Mathur Lane, Jan Path, New Delhi
2. Chief General Manager, Telecommunication, Rajasthan Telecom Circle, Sardar Patel Marg, Jaipur- 302008
3. Assistant General Manager (Recd.), Office of the Chief General Manager, Telecommunication, Rajasthan Telecom Circle, Sardar Patel Marg, Jaipur- 302008

-----Petitioners

Versus

Gordhan Lal Ajmera S/o Norat Mai Ajmera, Aged About 50 Years, 2, Bharti Colony, Behind Ahsapura Mandir, Beawar and Presently Working As Senior TQA (Phones) Telephone Exchange, Beawar

-----Respondent

For Petitioner(s) : Mr. Neeraj Batra.

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE VIJAY KUMAR VYAS

Order

31/08/2017

- (1) Heard learned Counsel for the writ petitioners.
- (2) By the impugned order the Tribunal has directed awarding uniform grace marks to all candidates to fill-up unfilled vacancies of Junior Accounts Officer.



The direction is contrary to law declared by a Division of the Delhi High Court dated 21.08.2014 in W.P.(C) 24/2014- The Chairman cum Chief Managing Director (CMD) of B. Co. Vs. Chandresh Kumar Topathi & Ors. The Delhi High Court

view that in the absence of there being a provision in the

(16)



R.S.N.L. Rules of 2001 the question of grant of uniform grace marks cannot be considered much less grace marks directed to be given.

(4) The Delhi High Court set aside a similar decision passed by the Central Administrative Tribunal.

(5) The writ petition is disposed of setting aside the impugned order dated December 03, 2014.


(VIJAY KUMAR VYAS)J.


(PRADEEP NANDRAJ)J.

N.Gandhi/Courier/s/42

