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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CONT.CAS(C) 227/2013, CM APPL. 14096/2013 & CM APPL.
5116/2022

**SANCHAR NIGAM EXECUTIVES
ASSOCIATION AND ORS**

.....Petitioners

Through: Ms. Gauri Puri and Mr. Kashish
Bhardwaj, Advocates.

versus

UOI AND ORS

.....Respondents

Through: Mr. Vikram Jetly, CGSC with Ms.
Shreya Jetly, Advocate for R-1, 5 and
7.

Mr. Ravi Sikri, Senior Advocate with
Mr. Arun Sanwal, Mr. Nishant Goyal
and Mr. Aditya Mani Sharma,
Advocates for R-2 and 4.

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+ CONT.CAS(C) 474/2019

CHAITANYA SHUKLA

.....Petitioner

Through: Mr. Anukul Raj, Ms. Nikita Raj, Mr.
Tushar Bhalla, Mr. Naveen, Mr.
Vishal Yadav and Mr. Manjeet
Goswami, Advocates.

versus

ARUNA SUNDARARAJAN AND ANRS.

.....Respondents

Through: Ms. Radhika Bishwajit Dubey, CGSC
with Mr. Kritarth Upadhyay, Mr.
Vivek Sharma and Mr. Amulya
Mishra, Advocates.

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+ CONT.CAS(C) 473/2019

MANISH KUMAR HAIRAT

.....Petitioner



Through: Mr. Anukul Raj, Ms. Nikita Raj, Mr. Tushar Bhalla, Mr. Naveen, Mr. Vishal Yadav and Mr. Manjeet Goswami, Advocates.

versus

PRADEEP KUMAR SINHA & ORSRespondents

Through: Mr. Jagdish Chandra and Ms. M. Saxena, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

20.04.2026

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1. This hearing has been done through hybrid mode.
2. Learned counsel appearing on behalf of the petitioner draws attention of this Court to the counter affidavit dated 23.07.2013 filed on behalf of respondents no. 1, 2 and 5, in particular the following paragraphs:-

“.....Accordingly, in pursuance of the Cabinet decision dated 13.2.2013 and in the context of the above orders passed by this Hon'ble Court, orders No. A-11013/64/2012-Abs. Cell (II-A and II-B) dated 11.3.2013 (Annexures R/2 and R/3) have been issued by the Department of Telecommunications for deployment of all the ITS officers repatriated from BSNL and MTNL in BSNL and MTNL on the terms and conditions approved by the Cabinet for a period of 10 years on year to year diminishing basis with effect from 11.3.2013 (AN) as per the requirement plans given by these organisations to meet their exigent requirements.

Besides, as per the Cabinet decision, the exercise for cadre review of all Group 'A' services of the Department of Telecommunications including Indian Telecom Service has been initiated and such Group 'A' officers who are identified to be in excess of the revised cadre strength following the cadre. review will be declared surplus. Till then the services of all repatriated Group 'A' officers will be utilized in this Department.

20. The main considerations behind the Committee of Secretaries recommendations dated 12.12.2012 based on which the Cabinet



decided the matter on 13.02.2013 were as follows:-

(i) Inability of the surplus cell of the Government in DOPT to redeploy the surplus ITS officers in JAG, SAG and HAG grades as there is no direct recruitment in these levels.

(ii) Exigent requirement of ITS officers in BSNL and MTNL on purely temporary and year to year diminishing basis for a period of 10 years to run their operations smoothly and efficiently to enable them to complete the process of 100% placement of their own cadres in an orderly manner and without affecting services.

(iii) Observation of Hon'ble High Court in its judgment dated 17.4.2012 stating that "we have no doubt in our mind that the Government would not like to keep such of the petitioners who opt to revert to the Government idle and, subject to availability of positions with it, give them such work as is deemed appropriate to be performed by them".

3. Let an updated status report be placed on record by respondents before the next date of hearing, with an advance copy to learned counsel for the petitioner.
4. Learned counsel appearing on behalf of the petitioner has handed up in Court today an order dated 29.08.2018 passed in OA No. 1283/2013 by learned Principal Bench, Central Administrative Tribunal, whereby the aforesaid OA was dismissed. The said order is taken on record.
5. List on 15.09.2026.

AMIT SHARMA, J

APRIL 20, 2026/sn/ah