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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA No. 2103/94

New Delhi, this the 31st of October, 1994.

HON'BLE SHRI J.P.SHARMA, MEMBER (J)

HON'BLE SHRI B.K.SINGH, MEMBER (A)

Lala Ram s/o Shri Lakhmi Singh
R/o A-8, Mahipalpur Extension,
New Gurgaon Road, New Delhi-110 037;

Working as J.T.O. (JE-2324)
Office of A.E. (Jn. Cxl.Mtc.)
Kidwai Bhawan, New Delhi-110 050.

....Applicant

By Advocate: Shri D.S.Chaudhary.

Versus

Mahanagar Telephone Nigam Limited,
through its Chief General Manager,
Khusshid Lal Bhawan, Janpath,
New Delhi-110 050.

...Respondent

By Advocate : None.

ORDER (ORAL)

HON'BLE SHRI J.P.SHARMA MEMBER (J)

The applicant has been working as J.T.O. in the office of A.E.(Jn.Cxl.Mtc.) Kidwai Bhawan under transfer to Kerala. The relief claimed by the applicant in this OA is that direction be issued to M.T.N.L. to restore the service telephone connection No. 6896650 at the applicant's residence and also be directed to pay one lakh compensation for violation of the applicant's rights to retain his service telephone at his residence during suspension or in

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the alternative leave to sue the respondent for damages. He has also prayed for the interim relief for restoration of the telephone connection.

2. Shri O.S.Chaudhary appears for the applicant and he has also argued on the objections raised by the Registry that M.T.N.L. is not within jurisdiction of the Central Administrative Tribunal, there is being no notification under section 14 clause 2 of the Administrative Tribunal Act, 1985.

3. The learned counsel for the applicant fairly ~~had~~ conceded ~~with~~ if it is ~~so~~ an order be passed on his application according to law.

4. We find that the Registry has raised the legal objection quite in line with the Administrative Tribunal Act, 1985, the applicant may be on deputation to M.T.N.L. and might at one point of time be inducted in service by the Ministry of Tele-communication. Since the claim of certain relief against M.T.N.L. cannot be considered by the C.A.T. as no notification has been issued under section 14 of the CAT Act, 1985. The applicant appears also to have been arrested in a criminal offence which is under investigation and was placed under suspension by the order dated 16.1.1994. Subsequently, it appears that the order of suspension was revoked by the order of 20th September, 1994 by the M.T.N.L. itself. Subsequently, by the order dated 23.9.1994 the applicant was

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transferred to Kannur SSA office of CGM, Kerala, Telecom Circle. It is not evident from the record whether the applicant has complied with the order of this transfer dated 23.9.1994 or not. We are not discussing anything on merit and only on the point of transfer we held ^{Reliefs prayed for} the present application is not maintainable in the Central Administrative Tribunal. The same, is, therefore, ^{not} dismissed as maintainable with liberty to assail his grievances if any before the competent forum, according to law, if so advised. The copy of the order be also given to the applicant.


(B.K.SINGH)
M(A)


(J.P.SHARMA)
M(J)