

(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD

This the 25TH day of **AUGUST, 2020.**

ORIGINAL APPLICATION NO. 380 OF 2020

HON'BLE MRS. JUSTICE VIJAY LAKSHMI, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)

1. Ashok Singh, aged about 32 years, Son of Sri Ratnakar Singh, Personal No. 200802718, Presently posted as Junior Telecom Officer, Resident of Transit Quarter No. 3, BSNL Telephone Exchange, Allahpur, Prayagraj.
2. Anil Kumar Singh Son of Sri Thakur Prasad, Personal No. 200400843, Resident of 89K Rajroopur, Allahabad.
3. Siddharth Tiwari Son of Late Suresh Kumar Tiwari, Personal No. 200802729, Resident of House No. 44, M.G. Marg, Civil Lines, Allahabad.
4. Brij Raj Singh son of Sri Gulab Singh, Personal No. 200201948, R/o 56/33D, Jayantipur, Allahabad.
5. Yogendra Kumar Singh Son of Late Sri Samar Personal No. 200301734, Bahadir Singh, Resident of House No. 926/182A/2 Rajroopur, Allahabad.
6. Arvind Singh, Son of Late Shamsher Singh, Personal No. 200305457, R/o Type-IV/117, Telephone Colony, Subedarganj, Allahabad.
7. Mool Chang Son of Sri Durga Prasad, Personal No. 200801037, R/o Tyope-III-9 Telephone Colony, Subedarganj, Allahabad.
8. Siddharth Dev Singh, Son of R.P. Singh, Personal No. 200802299, R/o 141/1A Rajrooppur, Allahabad.
9. Manish Tripathi, Son of Santosh Kumar Tripathi, Personal No. 200801791, R/o 368/8A, Bhawapur, Post G.T.B. Nagar, kareilly Allahabad.
10. Mahendra Kumar Son of Sri Bhaggu Ram, Personal No. 200901378, R/o 901378, R/o Type-3/29, Telephone Colony, Subedarganj, Allahabad.
11. Brijesh Kumar, Son of Kanchan Ram, Personal No. 200901281, R/o 15555/2E, Chandpur Salaroy, Allahabad.
12. Buta Singh Patel, Son of Sri V.P. Singh, Personal No. 200901022, R/o Mohammadpur, Utraon, Allahabad.
13. Bhawana Kumari D/o Sri Om Prakash Gupta, Personal No. 200803598, R/o 134/9K/1M – Chak Niratul Marg-4, Jagmal Hata, Allahabad.
14. Ganesh Kumar Saroj Son of Sri Babu Nath Saroj Personal No. 200801582, R/o Barana, Janghai, District Allahabad.
15. Deepak Son of Sri Surendra Pratap Personal No. 200904537, R/o G.C. 127 ADA Colony, Trivenipuram, Jhunsi, Allahabad.
16. Ahteshamuddin Son of Sri Qumaruddin Personal No. 201001831, R/o G-1515/2C/C Gausnagar, Prayagraj.
17. Shrvan Kumar Son of Sukalu Das, Personal No. 200803666, R/o 647/2 Children Hospital Campus, Allahabad.
18. Vijay Raj Son of Ashok Kumar, Personal No. 200903708, Resident of 73/79, Swaraj Nagar, Teliyarganj, Allahabad.
19. Dharmjeet Singh Son of Vinod Kumar Singh Personal No. 200802723, R/o Quarter No. 3, BSNL Exchange, Baghambari Road, Allahabad.
20. Anil Kumar Son of Kewala Shankar, Personal No. 200903122, R/o G.C. 135 Triveni Nagar, Jhunsi, Allahabad.
21. Sushma Maurya, W/o Ashok Kumar Maurya, Personal No. 803658, R/o Quarter No. 4/2 44, M.G. Marg, Civil Lines, Allahabad

22. Vinod Kumar, Son of Surya Lal, Personal No. 701009, R/o 12 Type-III, Subedarganj Colony, Allahabad.

.....Applicants.

VERSUS

1. Bharat Sanchar Nigam Limited, through its Chairman/Director, 1, Ashok Marg, New Delhi.
2. Chief General Manager, Telecom, U.P. (E) Telecom Circle, Hazratganj, Lucknow-226001.
3. General manager, Telecom District, Prayagraj 211001.

.....Respondents

Advocate for the Applicant : Shri S K Pandey
Shri N L Yadav

Advocate for the Respondents : Shri D S Shukla

ORDER

(DELIVERED BY HON'BLE MR. ANAND MATHUR, MEMBER (A))

1. The undersigned have joined this Division Bench online through Virtual Conferencing facility.

2. Shri S.K. Pandey, Advocate for the applicants and Shri D.S. Shukla, Advocate for the respondents, who has appeared on advance notice, are present in Court.

3. The applicants in this case have represented against the impugned order dated 7.8.2020 wherein options have been called for transfer of 35 JTOs of Lucknow and 30 JTOs from Allahabad.

4. The contention of the learned counsel for the applicants is that the policy formulated by the Corporate Office vide their letter dated 13.8.2008 is being followed by other Circles such as U.P West but is not being followed in their circle i.e. U.P. East. The applicants have submitted a representation on 10.8.2020 but they are awaiting response from the Administration. It is also worth mentioning that the Corporate Office has issued various letters stressing that they are in receipt of a number of representations wherein the staff are complaining that the rules formulated by the Corporate Office are not being followed in letter and spirit. Directions have been issued by the Corporate Office that the exercise should be done in a transparent manner leaving no room for complaint.

5. Learned counsel for the respondents stated that since the representations have been made by the applicants, it is premature on their part to approach this Tribunal.

6. On hearing both the sides, it is felt that the impugned order having been issued on 7.8.2020, one representation dated 10.8.2020 and another dated 14.8.2020 are pending before the administration and it is premature for the applicants to approach this Tribunal. However, learned counsel for the applicants is apprehending that the transfer orders may get issued very shortly and, therefore, the respondents may be directed to dispose of the representations dated 10.8.2020 and 14.8.2020.

7. At this stage, learned counsel for the applicants requested that he would submit fresh representation within a period of one week.

8. In view of the above, no useful purpose will be served by keeping this matter pending, therefore, this O.A. is disposed of at the admission stage itself with a direction to the applicants to submit a fresh representation within a period of one week from today. Thereafter, respondents shall decide their case by passing a reasoned and speaking order within a period of four weeks from the date of receipt of the fresh representation. The order passed by the respondents on the representation shall be communicated to the applicants. Meanwhile, no transfer orders shall be issued till the disposal of the representation. No order as to costs.

9. It is made clear that we have not expressed any opinion on the merits of the case.

(ANAND MATHUR)
MEMBER-A

Manish..

(JUSTICE VIJAY LAKSHMI)
MEMBER-J