

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH:
NEW DELHI.

REGN. NO. O.A. 656/87

DATE OF DECISION: 14.1.1993

Smt. R.K. Grover & anr.

... Petitioners.

Versus

Union of India & Anr.

... Respondents.

CORAM: THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. S.R. ADIGE, MEMBER(A).

For the Petitioners.

... Shri R.L. Sethi,
Counsel.

For the Respondents.

... Shri A.K. Sikri
with Shri V.K. Rao,
Counsel.

JUDGEMENT (ORAL)


(By Hon'ble Mr. Justice V.S. Malimath,
Chairman)

The principal challenge in this case is to Annexure A-1 on the assumption that the same has brought about the retrospective reversion of the petitioners from the post of Observation Supervisors to the post of Telephone Operators. If we carefully read the impugned Annexure A-1, it becomes clear that it is not at all an order by which the petitioners are sought to be reverted as apprehended. It is a letter addressed by the Assistant General Manager(A) of the Mahanagar Telephone Nigam Ltd. to the Assistant Director General (MM Section), Ministry of Communication, Department of Telecommunication, New Delhi. Mahanagar Telephone Nigam Ltd. came to be in existence on 1.4.1986. The personnel of the Delhi Telephones stood transferred to the Mahanagar Telephone Nigam Ltd. w.e.f. 1.4.1986. The petitioners are two among those who stood transferred. The

Assistant General Manager of the Mahanagar Telephone Nigam Ltd. was of the opinion that certain orders were passed reverting the petitioners as Telephone Operators on 14.3.1985 before they stood transferred as Observation Supervisors to the Mahanagar Telephone Nigam Ltd. It is in this background that he had addressed the letter to the Director General, Ministry of Communication asking him as to whether in pursuance of the order of reversion dated 14.3.1985, the petitioners were reverted to the post of Telephone Operator or not. He further asked in case they were still working as Observation Supervisors, they may be reverted back to Telephone Operators from the retrospective date w.e.f. 14.3.1985, the date of issue of the reversion order. It is, therefore, clear that it is only a request made by the Nigam authorities to the Assistant Director General, Ministry of Communication, to take certain steps to revert the petitioners in pursuance of the orders said to have been made in this behalf on 14.3.1985. This is, therefore, a case of a letter of request of reversion made by one authority to another, having been treated to be an order of reversion itself. It is on that basis that this petition has been filed and it is on that basis the interim order has been granted by the Tribunal. If Annexure A-1 was carefully read and understood, it would have obviated the passing of the interim order. Be that as it may, there is no order of reversion so far, which has been brought to our notice and what has been impugned is only a letter from one

authority to another. Hence the question of our interfering with the said letter does not arise. As the letter does not affect the rights of the petitioners, no relief can be granted. In the circumstances, it has become unnecessary to examine for us as to whether we have jurisdiction to entertain the grievance in regard to any action taken by the authorities of Mahanagar Telephone Nigam Ltd.

2. For the reasons stated above, this petition is dismissed without prejudice to the rights of the petitioners to work out their rights in accordance with law if and when they are jeopardised. No costs.


(S.R. ADIGE)
MEMBER(A)


(V.S. MALIMATH)
CHAIRMAN

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