

(RESERVED ON 16.10.2012)

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD**

Allahabad, this the 19th day of October, 2012

Hon'ble Mr. Sanjeev Kaushik, Member-J
Hon'ble Mr. Shashi Prakash, Member- A.

Original Application No. 1413 of 2005
(U/s 19 of Administrative Tribunal Act, 1985)

Naresh Pal Singh, S/o Shri Megh Singh, Senior Telecom Office Assistant (G), Office of Chief Account Officer (TR), General Manager Telecom District- Aligarh.

..... **Applicant.**

By Advocate: Shri K.P. Singh

V E R S U S

1. Union of India through Secretary, Ministry of Telecommunication, New Delhi.
2. Bharat Sanchar Nigam Limited through its Managing Director, New Delhi.
3. Chief General Manager, Bharat Sanchar Nigam Limited, U.P (West), Meerut.
4. Assistant General Manager, Office of General Manager, Telecom District Bharat Sanchar Nigam Limited, District - Aligarh.

..... **Respondents**

By Advocate : Shri D.S. Shukla

ORDER

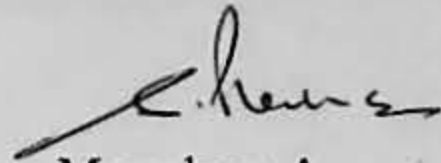
By Hon'ble Mr. Sanjeev Kaushik, J.M.

Shri D.S. Shukla, learned counsel for the respondents at the very out set submitted that the instant original application has been directed against the Show Cause Notice dated 23.09.2005 passed by the respondent No. 5 therefore it is not maintainable as the Show Cause Notice is not a final order and the applicant has a remedy of reply to the same. He also submitted that the impugned Show Cause Notice has already been withdrawn hence the instant original application has rendered infructuous and liable to be dismissed.

2. Shri K.P. Singh, learned counsel for the applicant on the other hand has submitted that though the respondents have withdrawn the impugned Show Cause notice dated 23.09.2005 even they have issued another Show Cause Notice.

3. We have considered the rival submissions and we do not find any good ground to keep the O.A pending even the another Show Cause Notice has been issued to the applicant because issuance of another Show Cause Notice gives fresh cause of action. Moreover, the applicant has an opportunity to explain all these things by submitting reply to the Show Cause Notice.

4. In view of the above the O.A is dismissed. The order dated 25.11.2005 directing the respondents to maintain status quo is hereby recalled. However, liberty is given to the applicant to approach the Tribunal at the appropriate time.


Member-A.


Member-J.

Anand/