

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
(THROUGH VIDEO CONFERENCING)**

Execution Application No. 332/00741/2020
In Original Application No. 332/00414/2018

Date of Order: This, the 01st July, 2021

HON'BLE MR. A MUKHOPADHAYA, MEMBER (A)

Nazim Ali, aged about 49 years, Son of Late Shri Naushad Ali Khan, Resident of- Village-Sahawar Post- Lahi, PS- Haiderganj, District- Barabanki.

... Applicant

By Advocate: Shri Praveen Kumar.



- Versus -

1. Union of India, through the Secretary, Department of Telecommunications, Sanchar Bhawan, New Delhi.
2. The Chief Managing Director, Bharat Sanchar Nigam Ltd. Statesman House, Barah Khamba Road, New Delhi.
3. The Chief General Manager, UP (East), Telecom Circle, Bharat Sanchar Nigam Ltd. Lucknow.
4. The General Manager (Administration), Bharat Sanchar Nigam Ltd. Office of Chief General Manager, Telecom (East), UP Circle, Lucknow.
5. The Deputy General Manager (Administration), Bharat Sanchar Nigam Ltd. Office of Chief General Manager, Telecom (East) UP Circle, Lucknow.

.....Respondents

By Advocate: Ms. Prayagmati Gupta-Respondent no. 1.
Shri G.S. Sikarwar- Respondent nos. 2 to 5.

ORDER (ORAL)

At the outset, Shri G.S. Sikarwar, learned counsel for the respondent nos. 2 to 5, submitted that, as pleaded in his deferment application No. 504 of 2021, the very basis on which the applicant in this case seeks execution of the order dated 13.12.2019 in OA 414/2018 wherein a direction was given to consider the claim of the applicant in the light of the judgment given in Abdul Rasheed AA decided by Hon'ble High Court of Kerala at Ernakulam, has become untenable, since the judgment /order dated 13.11.2019 of the Hon'ble High Court of Kerala in the matter of Abdul Rasheed AA has been stayed by the Hon'ble Supreme Court in SLP (Civil) Diary No. 973/2021. Learned counsel stated that the matter is presently under active adjudication in the Hon'ble Supreme Court. In these circumstances, he argued that, as prayed in the deferment application, the present execution application may be dismissed or at least deferred.



2. At this, Shri Praveen Kumar, learned counsel for the applicant, pointed out that the aforementioned order in question on which he has relied has only been stayed as an interim measure by the Hon'ble Supreme Court and final adjudication on the issue is awaited.

3. Looking to the foregoing position, it is deemed appropriate to dispose of this execution application in the present instance with liberty to the applicant to file a fresh execution application in the light of final adjudication /order of the Hon'ble Supreme Court in this matter, if so advised.

4. Execution Application is disposed of accordingly.

5. There will be no order on costs.



Vidya/ JNS

(A.MUKHOPADHAYA)
MEMBER (A)