

Central Administrative Tribunal  
Allahabad Bench : Allahabad.

Original Application No. 1257 of 2000.

Allahabad this the 23rd day of March 2004.

Hon'ble Mr. Justice S.R. Singh, V.C.  
Hon'ble Mr. D.R. Tiwari, A.M.

1. S.B. Gupta  
son of late Shri Lalai Prasad.
2. Ram Charan (I)  
son of Sri Nanoomal.
3. B.G. Saxena,  
son of late Shri Madan Mohan Lal.
4. B.B. Verma  
son of late Shri Chhotey Lal
5. Zahiruddin  
son of Shri Maula Bux.
6. R.P. Ahuja  
son of Shri K.D. Ahuja.
7. Smt. Urmila Sharma,  
widow of late Shri Mahesh Chandra Sharma.
8. Smt. Nirmal Peswani,  
W/o Sri B.D. Peswani.
9. Smt. Indra Kanta Gupta  
W/o Sri Bangali Babu Gupta.

(All Senior Telephone Supervisors in the office of  
General Manager Telecommunication/Bharat Sanchar  
Nigam District Agra).

10. Amar Singh  
son of Shri Gulab Chand.
11. R.S. Gupta (II)  
Son of late Shri Ganga Prasad Gupta.
12. Hridesh Kumar  
Son of late Shri Nathu Ram.
13. S.K. Jain,  
son of Shri Chhotey Lal Jain,
14. M.P. Bansal  
Son of late Shri Panna Lal Gupta.
15. Rajesh Kumar Saxena

RECV

Son of late Shri C.S. Saxena.

16. Satish Babu Saxena  
Son of late Shri Krishna Bihari Lal Saxena.

17. Kripa Shankar Srivastava  
Son of Shri Ram Gopal Srivastava.

18. Lalit Kishore Sharma  
Son of late Shri Ram Prasad.

19. Chandra Mohan Sharma,  
son of late Shri O.N. Sharma.

20. Harish Pal Singh,  
son of late Shri R.D. Verma.

(All Senior Telegraph Masters in the office of  
General Manager Telecommunication/Bharat Sanchar  
Nigam, District Agra).

21. Prem Singh  
son of late Shri Ramji Lal.

22. R.S. Lal  
son of late Shri Phool Singh.

23. B.D. Dawara  
son of late Shri Dayal Mal Dawara.

24. S.L. Rakesh  
Son of late Shri Pati Ram.

25. Madan Lal  
son of late Shri Ved Ram.

26. Ramji Lal  
son of Shri Ram Singh.

(All Senior Section Supervisors in the office of  
General Manager Telecommunication/Bharat Sanchar  
Nigam District Agra).

27. All India Telecommunication Employees Union (Nimboodari)  
Class II, U.P. (West) Circle, Branch Headquarter  
at Agra, through its Circle Secretary Shri R.S.  
Fauzdar.

.....Applicants.

(By Advocate : Sri H.N. Tripathi)

Versus.

1. Union of India,  
through Secretary  
Ministry of Telecommunication/Bharat  
Sanchar Nigam Ltd. Govt. of India  
Sanchar Bhawan New Delhi.

2. The Chief Central Manager Telecommunication/  
Bharat Sanchar Nigam Ltd. U.P. (West) Circle  
Dehradun.

3. The Chief General Manager Telecommunication/  
Bharat Sanchar Nigam Ltd. U.P. (West) Circle  
Hazratganj, Lucknow.

QAD

4. General Manager Telecommunication/Bharat Sanchar Nigam Ltd. C.T.O Compound, Agra.
5. Assistant General Manager (S-I) Department of Telecommunication/Bharat Sanchar Nigam Ltd. Services Office of C.G.M.T.U.P. (West) Telecom Circle Windlass Nagar Complex Rajpur Road. Dehradun.
6. Shri Todar Singh  
C/o General Manager Telecommunication/Bharat Sanchar Nigam Ltd. District Agra.
7. Shri Shripal,  
C/o Telecommunication Distribution Khand Marg Bharat Sanchar Nigam Ltd. Sitapur.
8. Sardar Mohd.  
C/o District Manager Bharat Sanchar Nigam Ltd. Nizibabad U.P. District Bijnor.
9. M.D. Ram  
C/o Supdt. Central Telegraph Office Varanasi.
10. J.B. Pandey,  
C/o General Manager Bharat Sanchar Nigam Ltd. Kanpur.

.....Respondents.

(By Advocate : Sri R. Chaudhary)

O\_R\_D\_E\_R

(Hon'ble Mr. Justice S.R. Singh, V.C.)

Heard Sri H.N. Tripathi learned counsel for the applicant and Sri R. Chaudhary learned counsel for the respondents.

2. The O.A. was dismissed in default vide order dated 19.04.2001. It was, however, restored vide order dated 10.05.2001 but again the O.A came to be dismissed in default and for non prosecution on 06.06.2002. The Restoration application was filed on 05.02.2004 alongwith an application for condonation of delay. It is alleged in the application for condonation of delay that due to inadvertence the case could not be noticed in the cause list and, therefore, the counsel could not appear on the date fixed. It is further alleged that the applicant No.1 came to Allahabad on 10.11.2003 and enquired about the

140

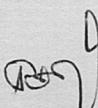
progress of aforesaid case and then it transpired that the case was dismissed in default on 06.06.2002. Immediately on the same day an application for obtaining certified copy of the order was submitted and it was obtained on 12.01.2004. Cause shown appears to be sufficient. Delay in filing restoration application is condoned. Cause shown for non-appearance of the applicant is also sufficient. The O.A. is restored to its original number and with the consent of the parties the case is taken for disposal.

3. Concededly the applicants and others are either Senior Telephone Supervisors or Senior Telegraph Masters or Senior Section Supervisors whose services have already merged in the Bharat Sanchar Nigam Ltd. which has not been brought within the purview of the Central Administrative Tribunal by means of any notification under section 14 (2) of Administrative Tribunal Act, 1985 and accordingly, the Tribunal has no jurisdiction in the matter.

4. The O.A. is, therefore, dismissed as not maintainable. The applicants shall have the liberty to approach the appropriate forum for redressal of grievances.

No costs.

  
Member-A.

  
Vice Chairman.

Manish/-