

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH:ALLAHABAD

ORIGINAL APPLICATION NUMBER:-539/00

TUESDAY, THIS THE 18th Day OF FEBRUARY, 2003

HON. MAJ GEN K.K.SRIVASTAVA, MEMBER (A)

Navneet Kumar Sharma,
s/o Dinesh Kumar Sharma,
r/o L-190, Dakshinpuri,
New Delhi. -110062.

...Applicant

(By Advocate:- Shri Rakesh Verma)

V E R S U S

1. Union of India,
Through its Secretary,
Ministry of Communication,
Department of Telecommunication,
Sanchar Bhawan,
New Delhi.
2. Chief General Manager,
Telcome, West,
Dehradun.
3. General Manager,
Telcome, Jaina Tower,
Raj Nagar,
Ghaziabad.
4. General Manager Telcom,
Sector-19, Telephone Exchange Building,
Noida.
5. Area Manager (Telcome),
Department of Telecommunications,
Near Central School
Exhibition Road,
Bulandshahr.
6. Sub-Divisional Officer (P)
Department of Telecom,
Telephone Exchange,
Khurja(Dist:- Bulandshahr). ... -....Respondents.

(By Advocate:-Shri Gyan Prakash)
Shri S.C.Mishra

O R D E R

By this O.A, filed under section 19 of the A.T. Act, 1985, the applicant has prayed for a direction to the respondents to regularise/absorb him in the department from part time casual labour to full time staff as regular/permanent employee in view of the regulations framed by the Department as published in monthly magazine Telecom in March, 1999.

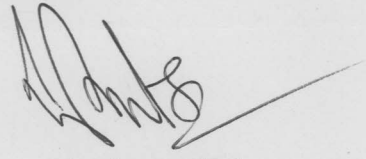
2. Shri Gyan Prakash, learned counsel for the respondents has submitted that the department of

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Telecommunication has been converted into corporation known as Bharat Sanchar Nigam Limited and this O.A is not legally maintainable before this Tribunal as Central Government has not issued any notification under Section 14(2) of the ^{AT}Act ¹⁹⁸⁵ conferring jurisdiction on this Tribunal to hear the dispute. The legal position is well settled in view of the judgments of Bombay High Court in case of A.R.Patil & Ors Vs. Bharat Sanchar Nigam Limited 2002 (3) ATJ 1 and judgment of Delhi High Court in W.P. No. 2027 of 2001 decided on 24.8.2001.

3. In the circumstances, the O.A is not legally maintainable before this Tribunal and the same is dismissed accordingly with no order as to costs.



Member (A)

Madhu/