

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1387 of 2002

Allahabad, this the 11th day of, August, 2003

HON'BLE MAJ GEN K.K. SRIVASTAVA, MEMBER A
HON'BLE MRS. MEERA CHHIBBER, MEMBER J

1. Jhuri Single S/o Chhabinath Singh.
2. I.C.Jaiswal S/o P.K.Jaiswal.
3. V.B. Singh S/o R.D. Singh.
4. A. Salam S/o A. Sollar.
5. R.B.Yadav S/o Narain Yadav.

All are posted as sub Divisional Engineer
G.M.T.D., Varanasi.

.....Applicants.

(By Advocate : S/Shri S.K.Day & S.K.Mishra)

Versus

1. Union of India through the Secretary,
Ministry of Telecommunication Govt. of
India New Delhi.
2. The General Manager, Tele Communication Dt.
Varanasi.

.....Respondents.

(By Advocate : Shri D.K.Dwivedi)

O R D E R (O R A L)

BY HON'BLE MRS. MEERA CHHIBBER, MEMBER J

By this O.A, filed under section 19 of
Administrative Tribunal Act, 1985, applicants
have sought quashing of the impugned order dated
21.8.2002 and further directions to the respondents
to refund the amount already recovered. It is submitted
by the applicant's counsel that applicant's pay was



fixed after 4th Pay Commission.

2. Respondents' counsel, at the out-set, has submitted that this O.A. is not maintainable in the Tribunal as the order, which ^{is} ~~has~~ sought to be quashed, is passed by Bharat Sanchar Nigam Limited, which is a corporation and so far no notification under section 14(2) of the Administrative Tribunal Act, 1985 has been issued to bring Bharat Sanchar Nigam Limited within the purview of Tribunal.

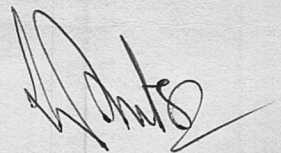
3. We have perused the order dated 21.8.2002. We find that the same has been issued by Bharat Sanchar Nigam Limited. Since Bharat Sanchar Nigam is a corporation and the corporation has not been brought within the purview of the Tribunal, this O.A. is not maintainable in the Tribunal.

4. Accordingly this O.A. is dismissed as not maintainable. However, liberty is given to the applicant to seek redressal of his grievance in appropriate Court.

No costs.



Member J



Member A

Brijesh/-