

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD

Original Application No. 1428 of 2002

Allahabad, this the 2nd day of June, 2003

QUORUM : HON. MAJ GEN KK SRIVASTAVA, MEMBER A  
HON. MR. A.K. BHATNAGAR, MEMBER J

1. Raja Ram Jatav, aged about 64 years, S/o Shri Putte Lal, R/o 14/3, Labour Colony, District-Hathras.
2. Bhure Lal, aged about 64 years, S/o Shri Mangal Sen Verma, R/o Bahadur Pura, District, Mathura.

... . . . . Applicants.

(By Advocate : Shri R. Verma)

Versus  
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1. Union of India through the Secretary, Ministry of Telecommunication, New Delhi.
2. The Chief General Manager, Telecommunication, U.P. West, Circle, Dehradun.

... . . . . Respondents.

(By Advocate : Shri G.R. Gupta)

O R D E R (Oral)

BY HON. MAJ. GEN. K.K. SRIVASTAVA, MEMBER A

This O.A. has been filed under section 19 of Administrative Tribunal, Act, 1985 with prayer for direction

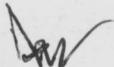


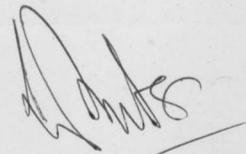
to the respondent no. 2 i.e. Chief General Manager (Telecom), Dehradun to promote the applicant under B.C.R. Scheme against the 10% post in the pay scale of Rs. 2000-3200 w.e.f. the date their juniors have been promoted alongwith all consequential benefits.

2. The department of telecommunication has recently been converted into a corporation. Since no notification under section 14(2) has been issued in regard to the newly constituted corporation, this O.A. is not maintainable in the Tribunal.

3. The legal position has well been settled in this regard by the judgment of Division Bench of Hon. Delhi High Court in Ram Gopal Verma Vs. Union of India AISLJ III 2002 (I) 352 and Division Bench of Hon. Bombay High Court in BSNL Vs. A.R. Patil 2002(3) ATJ 1. The O.A. is dismissed as not maintainable. However, the liberty is granted to the applicant to approach the appropriate forum.

4. No costs.

  
Member J

  
Member A

Brijesh/-