(2)

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 19th day of March, 2004.

Review Application No. 117 of 2003
IN
Original Application No. 1137 of 1996.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.
Hon'ble Mr. D.R. Tiwari, Member- A.

Rajat Kumar Sanyal S/o Sri P.K. Sanyal
J.T.O (Installation), Telephone Exchange,
Sanjay Palace, Agra.

.....Applicant

Counsel for the applicant :- Sri Y.K. Saxena

V E R S U S

1. Union of India through the Secretary,
   D/o Telecommunication, Sanchar Bhawan,
   Ashok Road, New Delhi.

2. General Manager, Telecom, Telecom Distt. Agra.

3. D.G.M, Telecom, Distt. Agra.

.....Respondents

Counsel for the respondents :- Sri D.S. Shukla

O R D E R

By Hon'ble Mr. Justice S.R. Singh, VC.

The O.A No. 1137/1996 was instituted by the applicant challenging therein the order dated 17.11.1994 whereby he had been visited with penalty of reduction in pay to a lower stage i.e. Rs. 1640/- in the time scale of pay Rs. 1640-2900/- for a period on one year without cumulative effect. The O.A was dismissed vide order dated 07.10.2003(it has been wrongly typed as 07.09.2003) The present review petition has been filed seeking recall of the order aforestated on the ground that the O.A was not maintainable in that the services of the applicant had been transferred to B.S.N.L where he was absorbed w.e.f

01.10.2000 and B.S.N.L was not brought within the purview of the Central Administrative Tribunal by means of any notification under section 14 (2) of the Administrative Tribunals Act, 1985.

2. It is true that the applicant being J.T.O (Non-gazzeted Group 'B') has since been absorbed in the BSNL which had not been brought within the purview of the C.A.T by means of notification under section 14 (2) of A.T. Act, 1985 but the fact of the matter is that what was under challenge in the O.A was the order of punishment passed on 17.11.1994 by an authority who was very much within the purview of the CAT. Subsequent absorption of the applicant in the BSNL will not affect the jurisdiction of the Tribunal which was rightly exercised.

3. Sri Y.K. Saxena, learned counsel for the applicant has then tired to urge on merits of the O.A. We are of the view that the review petition is not an appeal in disguise and re-hearing of the case on merits is not permissible. In the facts and circumstances , the Review Petition is dismissed with no order as to costs.

Member- A. Vice-Chairman.

/Anand/