

(6)

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

ORIGINAL APPLICATION NO.903 of 2007

Allahabad, this the 22nd day of August, 2008

Hon'ble Mr. Ashok S. Karamadi, Member-J

1. Kendriya Pensioner Kalyan Samiti, through its General Secretary, 192, Pashupati Nagar, Kanpur-21.
2. Laxmi Kant Awasthi, Retd. Section Supervisor (Vig.Cell), Kanpur Telecom, District- Kanpur.
3. Indra Mohan Mehandru, Retd. A.E. MTCE Kanpur.
4. Shiv Prasad Sinha, Retd. A.E. Kanpur Telecom District Kanpur.
5. Ashfaq Husain, Retd. E.E. Elecom Project, Gwaltoli, Kanpur.
6. Uma Shanker Bajpai, Retd. S.S. (TRA), G.M.T. Kanpur.
7. Dinesh Chandra Awasthi, Retd. S.S. (Vig.Cell), G.M.T., Kanpur.
8. Om Prakash Verma, Chief Telephone Supervisor, G.M.T. Kanpur.

...Applicants.

(By Advocate: Shri R.K. Shukla)

Versus

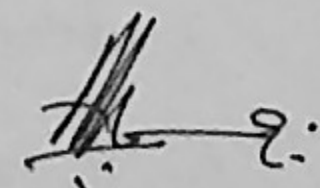
1. The Union of India through the Secretary, Ministry of Communication, New Delhi-11.
2. The Director General of Communication, Parliament Street, New Delhi-11.
3. The Deputy Controller, Deptt. Of Telecommunication, Bhopal House, Lal Bagh, Lucknow.
4. The General Manager, Telecommunication, Kanpur Telephone District, (Now Bharat Sanchar Nigam), M.G. Marg, Kanpur.

...Respondents.

(By Advocate : Shri D.S. Shukla
Shri D.N. Mishra)

ORDER

This application is filed seeking direction to the respondents for computing the total amount of gratuity as per existing rules.



(7)

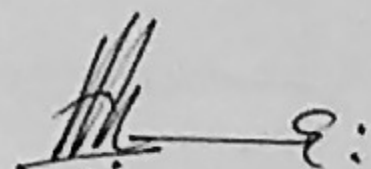
2. Even though this application is filed by seven applicants but applicant No.2 has submitted his representation dated 19.2.2007 to respondent No.4, which is produced as Annexure-A-1. Learned counsel for the respondents submits that in absence of any order by the competent authority, this OA is not maintainable and even otherwise all the applicants are not approached the competent respondent authority for the benefit, which they are claiming and as such, it is for the authority to consider whether they are eligible for the request made in accordance with law.

3. I have heard the learned counsel for the parties and perused the pleadings and material available on record.

4. The case of the applicant is that they are seeking the relief based on judgment of Hon'ble Supreme Court, which is stated in the representation of the applicant No.2 dated 19.2.2007. Therefore, it is just and proper, since the respondents have not passed any order based on the judgments on the representation of the applicant as on today, hence, it is just and proper to direct the respondent No.3 to take appropriate steps for the disposal of the representation of the applicant submitted to respondent No.4 and to dispose the same in accordance with law by a reasoned and speaking order, and the order passed by the respondents shall be communicated to the applicant. The order shall be passed within a period of three months from the date of receipt of copy of this order.

5. With the above directions, the OA is disposed of.

6. No order as to costs.


Member-J

RKM/