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O.A.No.204 of 2007

Iswar Chandra Sahu ..... Applicant  
Vrs.  
Union of India and others ..... Respondents

Order dated 17/5 August 2007

The applicant claims that he is presently working as Junior Accounts Officer in the office of the General Manager, Telecom District Bhubaneswar. He has filed this O.A. for quashing Annexure 7, the order dated 15.5.2007 relieving him from duty as Senior Accountant w.e.f. 15.5.2007 A.N. with instruction to report for duty to CGMT Office, Bhubaneswar, after handing over charge to Shri B.D.Rout, J.A.O. He has also prayed for a direction to the Respondents to continue him as J.A.O. in the office of the GMTD, Bhubaneswar and to disburse the salary and allowances to the applicant in the post of JAO from 27.7.2006. The applicant has nowhere mentioned in the O.A. that he is still continuing as a Government of India employee. The organization in which the applicant is working has since become Bharat Sanchar Nigam Limited. The B.S.N.L. is not amenable to the jurisdiction of the Tribunal in the absence of notification issued by the Central Government u/s 14(2) of the A.T.Act, 1985. Thus the O.A. is not maintainable before this Tribunal.

2. The O.A. was placed before the Bench on 18.6.2007 when on the prayer of the learned counsel for the applicant, the matter was adjourned to 19.6.2007. On 19.6.2007 though Shri R.C.Praharaj, the learned counsel appearing for the applicant, filed a Memorandum seeking permission to withdraw the O.A., he did not appear before the Bench to press the Memorandum and the matter was adjourned to 17.7.2007. On 17.7.2007 adjournment was sought for on behalf of the learned counsel appearing for the applicant and the matter was adjourned to 19.7.2007. On 19.7.2007 Shri Praharaj, the learned counsel for the applicant appeared and pressed the Memorandum for withdrawal of the O.A.



3. After hearing the learned counsel for the applicant, I am inclined to accede to his request for withdrawal of the O.A. because the O.A. is not maintainable before this Tribunal and no notice has yet been issued to the Respondents. In the circumstances, the Memo filed by the applicant's counsel on 19.6.2007 is granted leave and the O.A. is rejected as withdrawn.

  
(N.D.RAGHAVAN)  
VICE-CHAIRMAN