

3

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

**OA No. 1133 of 2012
Cuttack, this the 19th day of March, 2013**

**CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)**

1. BSNL Casual Karmachari Sangha,
Represented through its District Secretary,
Maikel Tirkey,
Aged about 33 years,
Son of Johan Tirkey,
Rourkela,
Dist. Sundargarh.

2. Banu Sahadev Ganjhu,
Aged about 48 years,
S/o.Aghu Ganjhu,
Rourkela,
Dist. Sundargarh,
Working in the office of Telephone Bhawan,
Sec.6, Rouirkela, Sundargarh.Applicants

(Advocate(s): M/s.P.K.Nayak,A.K.Mohapatra,S.Mishra)

VERSUS

1. Bharat Sanchar Nigam Limited through
Assistant Director General,
102-B, Statesman House,
New Delhi-110 001.

Alct.

-2-

4

2. Chief General Manager,
Bharat Sanchar Nigam Limited (BSNL),
Orissa Telecom Circle,
Bhubaneswar,
Dist. Khurda.
3. Dy. General Manager (J),
Bharat Sanchar Nigam Limited (BSNL),
Door Sanchar Bhawan,
Rourkela Telecom District,
Rourkela,
Dist. Sundargarh.
4. Union of India represented through its
Secretary,
Ministry of Telecommunication,
New Delhi.
5. The General Manager,
Bharat Sanchar Nigam Limited,
Telecom District,
Rourkela.

.... Respondents

(Advocate(s) – Mr.K.C.Kanungo)

ORDER

(Oral)

A.K.PATNAIK, MEMBER (J):**MA No. 1003/12**

Heard Mr.H.K.Mohanty, Learned Counsel appearing for the Applicants and Mr.K.C.Kanungo, Learned Counsel appearing for Respondent-BSNL on MA No.1003/12 filed by the

Abes

5

Applicants seeking permission to prosecute this OA jointly and perused the records. After hearing Learned Counsel for both sides MA No. 1003/12 stands allowed and is accordingly disposed of.

OA No. 1133/12

2. Heard Mr.H.K.Mohanty, Learned Counsel appearing for the Applicants and Mr.K.C.Kanungo, Learned Counsel appearing for Respondent-BSNL and perused the records.

3. Alleging inaction in taking step to regularize the services of the Applicants who are working on casual basis since 1991-92 and have completed 240 days of service, the applicants have filed this Original Application with prayer to direct the Respondents to regularize the services of the Applicants who are the members of the Association in accordance with the guidelines issued by the Government and the decision of the Hon'ble Apex Court. It is the further case of the Applicants that in Annexure-1, the local office forwarded the names of the Applicants giving



details therein to CGMT, Orissa, Bhuabneswar with a view to regularize their services. Since no action was taken thereon the applicants persuaded their grievance through Union by making representation dated 1.9.2012 at Annexure-4. But it is the specific case of the Applicants that neither their services have been regularized nor have they received any communication thereon.

4. Mr.K.C.Kanungo, Learned Counsel who has entered appearance for the Respondent-BSNL, submitted that he has no instruction about any action taken with regard to regularization of the Applicants. Hence he has prayed time to obtain instruction.

5. After hearing Mr. H .K.Mohanty, Learned Counsel for the Applicant and Mr.K.C.Kanungo, Learned Counsel appearing for the Respondent-BSNL, I do not find any reason to admit this OA especially when the grievance raised by the applicants through their Union by making representation at Annexure-4 is still pending. Therefore, as agreed to by Learned Counsel for the Applicants, without entering into the merit of the matter, this OA is

Abir

disposed of, at this admission stage, with direction to the Respondent No.5 to take a decision on the representation at Annexure-4 and communicate the same in a reasoned order to the applicants within a period of 60(sixty) days from the date of receipt of copy of this order.

6. As prayed for, copy of this order along with OA be sent to Respondent No.5 by post at the cost of the Applicants for which learned counsel for the Applicants undertakes to furnish the required postages within two days of receipt of this order.

A.K. Patnaik
(A.K.PATNAIK)
Member (Judl.)