

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A. NO. 520 OF 2009**

Wednesday, this the 4<sup>th</sup> day of August, 2010

**CORAM:**

**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER  
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

1. G.Mohandas  
Divisional Engineer (External)  
BSNL, Central Division  
Thiruvananthapuram – 3
2. K.Vijayakumaran Nair  
Divisional Engineer (Transmission & Maintenance)  
STR, Telecom Bhavan, BSNL  
M.C.P.O.Thiruvananthapuram – 11
3. S.Ponnu Iyer  
Assistant General Manager (O&M)  
Office of the CGMT, BSNL  
Thiruvananthapuram – 33
4. Baby Peter  
Divisional Engineer (External)  
BSNL, Nemom  
Thiruvananthapuram – 20
5. B.Sudhakaran  
Divisional Engineer  
BSNL, Attingal
6. E.Krishna Pillai  
Divisional Engineer (Retd)  
Telecom Bhavan, BSNL  
M.C.P.O Thiruvananthapuram – 11
7. A.Mariadas  
Assistant General Manager (RRC)  
Office of the CGMT, BSNL  
Telecom Bhavan, M.C.P.O.  
Thiruvananthapuram – 11
8. B.Balakrishnan Nair  
Sub Divisional Engineer (Rtd)  
Cable Planning – II  
Office of the PGMT, BSNL  
Ernakulam, Kochi – 16

(1)

9. T.D.Yohannan  
 Divisional Engineer (BB&COMP)  
 BSNL, Telephone Exchange  
 Mancheri  
 Malappuram District ... Applicants

(By Advocate Mr.Vishnu S Chempazhanthiyil )

versus

1. The Chief General Manager  
 Bharat Sanchar Nigam Limited  
 Kerala Circle, Thiruvananthapuram

2. The Chairman and Managing Director  
 Bharat Sanchar Nigam Limited  
 Corporate Office  
 Statesman House, New Delhi

3. Union of India represented by its Secretary  
 Department of Telecommunication/Chairman  
 Telecom Commission  
 Ministry of Communication  
 Sanchar Bhavan, New Delhi ... Respondents

(By Advocate Mr.George Kuruvilla )

The application having been heard on 04.08.2010, the Tribunal on the same day delivered the following:

**ORDER**

**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER**

The applicants have filed this Original Application claiming the benefits of the judgments of the Apex Court passed in ***Union of India vs. Madras Telephone SC & ST Social Welfare Association (2006) 8 SCC 662*** and also judgment of the Hon'ble High Court of Kerala in ***W.P(C) No.3807/05 (T.N.Peethambaran)***. The applicants also rely on Annexure A-17 order passed by this Tribunal in TA NO.79/08. It is reported by the counsel for the applicant that the same benefit claimed by similarly placed applicants have been given the benefits subject to the result of the SLP pending before the Apex Court. We feel that without considering the other questions raised, this OA can also be disposed of by directing the 2<sup>nd</sup>

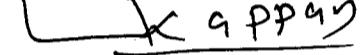
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respondent to pass appropriate orders in the matter in the light of the orders passed in TA 79/08 and W.P(C) 3807/05 in the same condition passed in Annexure A-20 dated 23.07.2010. This process has to be completed within a reasonable time, at any rate, within forty five days from the date of receipt of a copy of this order.

2. With the above direction, this OA stands disposed of. No order as to costs.

Dated, the 4<sup>th</sup> August, 2010.

  
**K GEORGE JOSEPH**  
**ADMINISTRATIVE MEMBER**

  
**JUSTICE K.THANKAPPAN**  
**JUDICIAL MEMBER**

vs