

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 520 OF 2009

Wednesday, this the 4th 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



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 2nd

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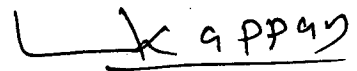
respondent to pass appropriate orders in the matter in the light of the orders passed in TA 79/08 and W.P(C) 3807/05 in the same condition passed in Annexure A-20 dated 23.07.2010. This process has to be completed within a reasonable time, at any rate, within forty five days from the date of receipt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

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

Dated, the 4th August, 2010.



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE K.THANKAPPAN
JUDICIAL MEMBER

VS