

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.NO.118/2002

Friday this the 15th day of February, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

C.Ramachandran, S/o Chellappan Panicker,
Staff No.7341, Telegraphman,
DTO Chalai, residing at Dileep Quarters,
Near Police Circle Inspector's Office,
Kattakkada.

...Applicant

(By Advocate Mr.Vishnu S.Chempazhanthiyil)

V.

1. General Manager, Telecom,
Bharat Sanchar Nigam Limited,
Thiruvananthapuram.
2. Chief General Manager,
TelecomCircle,
Bharat Sanchar NigamLimited,
Thiruvananthapuram.
3. Director General,
Postal Department,
New Delhi.
4. Union of India, rep. by its
Secretary, Ministry of Communications,
New Delhi.
5. Chairman, Bharat Sanchar Nigam Limited,
New Delhi. ...Respondents

(By Advocate **Mr. C Rajendran, SCSC**

The application having been heard on 15.2.2002, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant, after rendering 17 years of
service in the Army as a Sepoy discharged and got
re-employed on 15.6.83 as Telegraphman is aggrieved
that he is not being given the benefit of refixation of

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pay in terms of the Judgment of the Apex Court in Director General (Posts) v. B.Ravindran and another (Civil Appeal Nos.4077-78/92 decided on 8.11.96) although he made a representation in that behalf on 28.5.2001 (A7). Therefore, the applicant has filed this application for a declaration that he is entitled to get the benefit of Annexure A judgment and for a direction to the respondents to regulate his pay accordingly and in the alternative for a direction to the second respondent to consider and pass orders on Annexure A7 representation.

2. When the application came up for admission, learned counsel for the applicant states that Annexure A7 representation is short of the factual backdrop and that the applicant may be permitted to make a more consolidated representation which the second respondent may be directed to consider and dispose of.

3. Learned counsel for respondents Shri C.Rajendran, SCGSC stated that there is no objection in the application being disposed of as suggested.

4. In the light of what is stated above, the applicant is permitted to make a detailed representation to the second respondent seeking extention of the benefit of the judgment of the Apex Court (A.1) setting out the details of his service etc. within a period of three weeks from today and the second respondent is directed to consider the representation in accordance with the rules,

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instructions and ruling on the subject and to give the applicant an appropriate reply within a period of three months from the date of receipt of the representation.

No costs.

Dated the 15th day of February, 2002



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

(s)

APPENDIX

Applicant's Annexures:

1. A-1: True copy of the judgment dated 8.11.1996 in Civil Appeal No.4077-78/92 of the Hon'ble Supreme Court of India.
2. A-2: True copy of the discharge certificate (relevant portion) of the applicant.
3. A-3: True copy of memo No.A1/90-811/84 dated 21.1.1988 of the 1st respondent.
4. A-4: True copy of letter No.A/19/RLGS/XS/5050 dated 10.11.1988 of the 1st respondent.
5. A-5: True copy of letter No.B/K.34 dated 7.11.1997 of the Superintendent of Post Offices, Pathanamthitta.
6. A-6: True copy of the judgment in OA No.1067/1998 of this Hon'ble Tribunal.
7. A-7: True copy of the representation dated 28.5.2001 to the 2nd respondent.
8. A-8: True copy of the order dated 30.9.1988 in OAK 144/88 and other O.As of this Hon'ble Tribunal.

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