

AS

O.A. No. 16/92

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Applicant

Vs.

1. Union of India
Through Secretary
Ministry of Communications
Sanchar Bhawan,
New Delhi.
2. Chief General Manager,
Mahanagar Telephone Corporation
Khursheed Lal Bhawan,
New Delhi.
3. S.D.O. Phones (IV),
T/H Telephone Exchange,
Delhi.
4. Administrative Officer ... Respondents
Recruitment Establishment
Mahanagar Telephone Corporation
Khursheed Lal Bhawan,
New Delhi-50

Hon'ble Mr. S.N. Prasad, J.M.

(By Hon'ble Mr. S.N. Prasad, J.M.)

The applicant has filed this application under Section 19 of the Administrative Tribunals Act, 1985 for directing the respondents to give appointment to the petitioner on compassionate ground and to sanction the family pension, death-cum-gratuity and other benefits.

Briefly stated the facts of the above case, inter-alia, are that husband of the applicant, namely Shri Surendra Kumar was working as daily wage skilled workman since 1.7.77 in Mahanagar Telephone Corporation, K.L. Bhawan, New Delhi (i.e. respondent No.2) and was working continuously and died in harness on 23.3.87 due to sustaining injury on 18.3.87 while on duty, and thus this being so the applicant has filed the application for being appointed on compassionate ground.

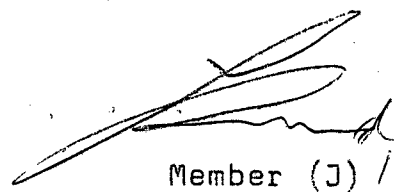
This is worthwhile making mention of this fact

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that ample opportunity was afforded to the applicant to file the supplementary affidavit to show as to how this Tribunal has jurisdiction to decide this application, but no supplementary affidavit has been filed by the applicant.

The preliminary objection has been raised on behalf of the respondents to the effect as contended in the CMP No. 584/92 that Mahanagar Telephone Corporation Khursheed Lal Bhawan, New Delhi is a company incorporated under the Indian Companies Act, which is given licence to maintain Delhi and Bombay Telephones, and since there is no notification under Section 14(2) of the Administrative Tribunals Act, 1985 to bring the aforesaid corporation under the purview of the C.A.T. Act, 1985, this Tribunal has got no jurisdiction and as such the application be dismissed for want of jurisdiction. I have considered the provisions contained under Section 14(2) of the Administrative Tribunals Act, 1985 and keeping in view the fact that there is no notification to this effect under Section 14(2) of the Administrative Tribunals Act, 1985, I find that the objections of the respondents are sound and sustainable.

Thus, in view of above, I find that this Tribunal has no jurisdiction and the application of the applicant is dismissed for want of jurisdiction. It shall be open for the applicant to move the proper forum for redressal of her grievance.


Member (J) 13.7.92

Lucknow
dt 13.7.92

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