

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO 27/99

MONDAY the 14th day of JULY, 2003

CORAM: Hon'ble Shri Justice R.R.K. Trivedi - Vice Chairman
Hon'ble Shri Shankar Prasad - Member(A)

Zafarali S.
Residing at
B-9/ 3-4 B.M.C. Colony
Mitha Nagar,
Goregaon (W), Mumbai.

...Applicant

By Advocate Shri G.S. Walia.

V/s

1. Union of India through
Chief Superintendent
Central Telegraph Office
Fort, Mumbai.

2. Senior Superintendent
Telegraph Traffic (SFMSS)
Central Telegraph Office
Fort, Mumbai.

...Respondents.

By Advocate Shri V.S. Masurkar

ORDER (ORAL)

{Per Justice R.R.K.Trivedi, Vice Chairman}

By this OA filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant had challenged the order dated 12.12.1997 by which the appeal of the applicant was rejected as time barred. The appeal was against an order of punishment reducing his pay by three stages by order dated 6.11.1996.

2. The applicant was serving as Junior Telecom Officer which is a Group 'C' post. It is not disputed that during the pendency of the OA, Bharat Sanchar Nigam Ltd.(in short BSNL) had been





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constituted and services of all Group 'C' and 'D' employees have been absorbed in the said Corporation. The Central Government has not issued notification under Section 14(2) of Administrative Tribunals, Act 1985 conferring jurisdiction on this Tribunal to hear and dispose of the matters pertaining to BSNL.

3. In the circumstances the OA is not maintainable. The legal position has been well settled by the judgement of Division Bench of Bombay High Court in the case of BSNL V/s A.R. Patil 2003(1) SLR 386.

4. The OA is accordingly dismissed. The applicant may challenge the impugned orders before the competent forum. No order as to costs.


(Shankar Prasad)
Member (A)


(R.R.K. Trivedi)
Vice Chairman

74/July 15
(4)

Applicant despatched
Applicant Respondent (s)

on 21/7/5

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2003(1) SLR 388.

4. The OA is accordingly dismissed. The applicant may
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(R.R.K. Trivedi)
Vice Chairman

(Shankar Prasad)
Member (A)