

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO:442/2000

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)

P.N. Hiraanandani
Residing at D -9,
Inlaks Nagar, Ground Floor,
Yari Road, Versova,
Andheri (West), Bombay. ...Applicant.

By Advocate Smt. S.D. Gulhane for Shri G.K. Masand

V/s

1. Union of India through
The Secretary in the
Department of Telecommunication
Sanchar Bhavan, New Delhi.
2. The Deputy General Manager
(CCF), Maharashtra Circle,
Telephone House, 2nd Floor,
Dadar (West), Mumbai.
3. The Advisor (HRD)
Human Resources Development
Telecom Commission, Sanchar
Bhavan, 20 Ashoka Road,
New Delhi.
4. The Asst. General Manager(A-II)
C/o Chief General Manager
Telecom, Maharashtra Circle
Bombay. ...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
26.3.1992 by which he has been ^{awarded} ~~imposed~~ the punishment of removal
from service which order has been confirmed vide order dated
30.6.1997, by the appellate authority.

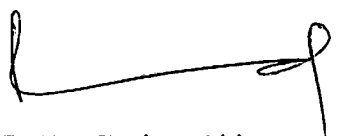
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2. The applicant was serving as Telephone Operator which is a Group 'C' post. It is not disputed that during the pendency of the OA, Bharat Sanchar Nigam Ltd.(in short BSNL) has been constituted and services of all Group 'C' and 'D' employees have been absorbed in the said Corporation. The Central Government had not issued notification under Section 14(2) of Administrative Tribunals, Act 1985 conferring the jurisdiction on this Tribunal to hear and dispose of cases pertaining to employees serving in the 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