

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO:378/94

DATE OF DECISION:24.12.1999

Shri R.N.Kande Applicant.

Applicant in person. Advocate for
Applicant.

Versus

Union of India Respondents.

Shri V.S.Masurkar Advocate for
Respondent(s)

CORAM

Hon'ble Shri D.S.Baweja, Member (A)

Hon'ble Shri S.L.Jain, Member (J)

- (1) To be referred to the Reporter or not? *Y*
- (2) Whether it needs to be circulated to *X*
other Benches of the Tribunal?
- (3) Library. *Y*

D.S.Baweja
(D.S.Baweja)
Member (A)

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION NO: 378/94

FRIDAY the 24th day of DECEMBER 1999

CORAM: Hon'ble Shri D.S.Baweja, Member(A)

Hon'ble Shri S.L.Jain, Member (J)

R.N. Kande
UDC, Staff No.26671
O/o General Manager (Central)
Mahanagar Telephone Nigam Limited
Advani Chambers
A.K.Marg., Bombay.

...Applicant

Applicant in person.

V/s

1. Union of India through
Chief General Manager
M.T.N.L.,
Telephone House, Bombay.
2. Company Secretary
Mahanagar Telephone Nigam Ltd.,
Jeevan Bharti Tower -I
124, Cannaught Circus,
New Delhi.
3. The Chief General Manager
Mahanagar Telephone Nigam Ltd.,
Telephone House,
Veer Savarkar Marg.,
Dadar, Bombay.
4. The General Manager (Central)
Mahanagar Telephone Nigam Ltd.,
Advani Chambers,
A.K. Marg,
Bombay.

...Respondents

By Advocate Shri V.S.Masurkar.

ORDER (ORAL)

{Per Shri D.S.Baweja, Member (A)}

The applicant is working as UDC in the legal cell. The applicant has filed this application seeking the following reliefs:

(1)

...2...

:2:

(a) to promote or appoint the applicant to the grade of Legal Manager or Law Officer and grant all benefits in the grade with immediate effect.

(b) to place the applicant on par with the Legal Managers or Law Officers at the office of General Manager Central)/Main office.

(c) to create a suitable post in the rank of Legal Manager or Law Officer in Bombay Central Zone or Head Office and to promote or appoint the applicant to such post immediately upon creation of the same in view of the said circular dated 25th October 1989.

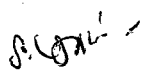
2. Notice was issued to the respondents. The respondents have filed reply.

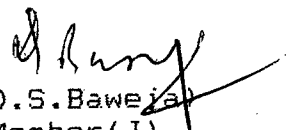
3. We have heard the applicant in person and Shri V.S. Masurkar on behalf of the respondents. On going through the pleadings and the reliefs sought for, we find that the issue involved is a policy matter. The applicant has made a prayer to direct respondents for creation of post of Legal Manager/Law Officer and the applicant should be then promoted on the same. This is a policy matter and within the jurisdiction of the concerned authorities to decide whether there is need to create a particular post or not? No direction can be issued on ^{such a} policy matter.

Q

...3...

4. In view of the above the OA is not maintainable.
Accordingly the OA is dismissed. No order as to costs.


(S.L.Jain)
Member(J)


(D.S.Baweja)
Member(J)

NS