

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO: 606/98

WEDNESDAY the 1st day of MAY 2002

CORAM: Hon'ble Shri B.N. Bahadur, Member (A)

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

M. Rajratnam
Residing at
B-2/4, Post & Telegraph
Colony, Vakola,
Santacruz (East), Mumbai.Applicant.

By Advocate Shri S.V. Marne

V/s

1. The Union of India
through the Secretary
Ministry of Communications,
Sanchar Bhavan, New Delhi.

2. Member (Services)
Telecom Commission
Ministry of Communications
West Block No.1, Wing No.2
Ground Floor, R.K. Puram
New Delhi.

3. Shri B.B. Choudhary
DGM (DIBI) Ninth Floor
Cooperage Telephone Exchange,
Mumbai.

4. Shri B.L. Boradia
the then Dy. G.M. MTNL (DIBI)
9th Floor, Cooperage, Mumbai
C/o the Chief General Manager
MTNL, Mumbai.

5. Shri S.L. Winston
The then General Manager (PB)
MTNL, 9th Floor, Cooperage,
C/o The Chief General Manager,
MTNL, Mumbai.Respondents.

By Advocate Shri V.S. Masurkar.

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ORDER (ORAL)

{Per S.L. Jain, Member (J)}

The applicant has impugned the action of the respondents retiring him compulsorily and ^{also in} ~~impugns~~ the eviction order.

2. We have perused the reply of the respondents. In para 5 the respondents have stated that the applicant challenged the order No. 8-41/97-Vig.II dated 16.5.1997 passed by the Disciplinary Authority i.e. Member (Services) Telecom Commission, New Delhi. The said order is appealable according to Rule 23 (ii) of C.C.S. (CCA) Rules 1965. Thus this OA is premature.

3. The applicant has not only challenged the said order but also challenged the order of eviction dated 4.6.1998 and applicant had not exhausted the departmental remedies. The respondents have kept ready the record for perusal of the Court.

4. The learned counsel for the applicant stated that the applicant shall submit his residential address and the respondents be directed to send the pension papers i.e. blank forms for being filled at his residential address. The respondents shall take decision in this respect.

5. We dispose of the OA with the direction that if the applicant prefers an appeal, his appeal alongwith delay condonation be considered on merits as per law.

S.L.Jain
(S.L.Jain)
Member (J)

B.N.Bahadur
(B.N. Bahadur)
Member (A)

NS

dr 11/5/98
Order/Judgement despatched
to Applicant/Respondent (s)

on 19/6/98

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