

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH

Jaipur, this the 16<sup>th</sup> day of August, 2011

**TRANSFERRED APPLICATION NO. 08/2011**  
**(CWP NO. 7624/2011)**

**CORAM**

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER  
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

B.L. Swarankar son of Late Shri Kanhiya Lal by cast Swarankar, aged 62 years, resident of 101, Near Agrawal Dharam Sala, Ward No. 12, Chomu. Presently retired as CTS, Telephone Supervisor, Chomu. Retired on 01.11.2005.

.....Applicant

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through the Secretary to the Government of India, Department of Telecom, Sanchar Bhawan, New Delhi.
2. Bharat Sanchar Nigam Ltd. through the Chairman, Corporate Office, Personnel-IX, New Delhi.
3. Chief General Manager Telecom, Rajasthan Circle, Jaipur.
4. Principal General Manager Telecom, Jaipur District, Jaipur.

.....Respondents

(By Advocates: -----)

**ORDER (ORAL)**

Learned counsel for the applicant submits that by the judgment rendered by this Tribunal in OA No. 458/2001 (Madan Lal Bediwal vs. Union of India & Others) decided on 23.05.2002, the impugned orders which are under challenge in this TA i.e. order dated 29.08.2011 with corrigendum dated 03.09.2001 (Annexure A/1) have been quashed and set aside by a Division Bench of the Hon'ble High Court, Jaipur Bench vide judgment dated 24.03.2005, passed in DB Civil Writ Petition No. 3072/2003.

2. Subsequently, the respondents have also filed a Review Petition No. 109/2005, which was also dismissed by the Division Bench of the Hon'ble High Court. Further, a similar controversy was considered by



the CAT Principal Bench, New Delhi, which has been upheld by the Hon'ble Supreme Court vide judgment dated 10.01.2002 passed in Special Leave to Appeal (Civil) No. 22462/2001, Union of India and Others vs. Dev Raj & Others.

3. In view of the aforesaid judgments, the learned counsel appearing for the applicant wishes to withdraw this TA with liberty to represent before the authority concerned.

4. Accordingly, the TA stands dismissed as withdrawn.

*Anil Kumar*

(ANIL KUMAR)  
MEMBER (A)

*K. S. Rathore*

(JUSTICE K.S. RATHORE)  
MEMBER (J)

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