

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH : JAIPUR

Date of Order : 06.07.2004

Original Application No.380/2001.

N. S. Shekhawat, S/o Sh. Bhanwar Singh, aged about 48 years, R/o 25/543, Ashagang, Ajmer, at present employed on the post of Senior TOA (P) Ajmer, Department of Tele Communications, Ajmer.

... Applicant.

v e r s u s

1. Union of India through its Secretary (Department of Telecom) Bharat Sanchar Nigam Ltd., New Delhi.
2. General Manager, Tele Communication, Department of Tele Communication (Bharat Sanchar Nigam Ltd.), Ajmer Division, Ajmer.

... Respondents.

Mr. Shiv Kumar counsel for the applicant.
Mr. B. N. Sandu Counsel for the respondents.

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Hon'ble Mr. M. L. Chauhan, Judicial Member.
Hon'ble Mr. A. K. Bhandari, Administrative Member.

: O R D E R (ORAL) :

The applicant has filed this Original Application thereby praying for the following reliefs :-

"i) That the respondents may be directed to refix the pay of applicant according to the circular/letters issued by the department as well as Government of India on the subject fixation of pay on re-employment of Ex-serviceman. His case may be considered in light of Annexure A-6, A-7, A-8 for fixation of pay. After refixation applicants may be granted arrear of pay with interest. Further the respondents may be directed to count the

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service of applicant with effect from 11.12.73 to 10.11.80 rendered in defence/armed forces in service benefits or for pensionary benefits.

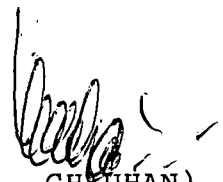
ii) That any other relief/directions/order may be passed in favour of applicant which Hon'ble Court deem fit, just and proper under the facts and circumstances of the case.

iii) That cost of OA may be awarded in favour of applicant.

2. The respondents have filed reply. During the course of arguments, learned counsel for the respondents has brought to our notice an order dated 03.01.2002, whereby the applicant has been permanently absorbed in B.S.N.L. with effect from 01.10.2002. Admittedly, where an employee has been absorbed in B.S.N.L., this Tribunal has got no jurisdiction to entertain the matter in view of the decision rendered by the Full Bench of this Tribunal in the case of B. N. Sharma & Ors. vs. Union of India & Ors., OA NO.401/2002 & Ors. decided on 24.03.2004.

3. In view of what has been stated above, this Tribunal has got no jurisdiction to entertain the matter. The Registry is directed to return the Paper Book to the applicant by retaining one copy. The OA shall stand disposed of accordingly.


(A. K. BHANDARI)
MEMBER (A)


(M. L. CHAUHAN)
MEMBER (J)