

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A.NO.060/00189/2014 Date of order:-March 4, 2014.

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J).
Hon'ble Mr. Uday Kumar Varma, Member (A).**

Baldev Kumar, Ex. JTO, r/o House NO.B-1/992, Ram Nagar, P/O New Grain Market, Jalandhar, Punjab.

.....Applicant

(By Advocate :- Mr. Rohit Sharma for Ms. Jyoti Chaudhary)

Versus

1. Bharat Sanchar Nigam Limited, Harish Chander Lane, Bharat Sanchar Bhawan, 4th floor, Janpath, New Delhi through its Chief Managing Director.
2. Director (HR) Bharat Sanchar Nigam Limited, Harish Chander Lane, Bharat Sanchar Bhawan, 4th floor, Janpath, New Delhi.
3. Chief General Manager Telecom(D), Punjab Telecom Circle, Bharat Sanchar Nigam Limited, Jalandhar.
4. General Manager Telecom, Punjab Telecom Circle, Bharat Sanchar Nigam Limited, Jalandhar.

...Respondents

(By Advocate : Mr. Rakesh Verma).

O R D E R(Oral).

1

Hon'ble Mr. Sanjeev Kaushik, Member (J):

Applicant Baldev Kumar has filed the present OA praying for the following relief :-

"A) Quash the action of the respondents in not releasing the leave encashment and GPF fund of the applicant in violation of circular by Ministry of Communication & I.T., Department of Telecommunications dated 21.07.2009(Annexure A-1) that person is entitled for retiral benefits even if he was dismissed/removed from service after their absorption in BSNL by BSNL and for issuance of directions to the respondents to decide the representation dated 30.4.2013 of the applicant and grant him leave encashment, pension and gratuity with interest on such payment @ 18% per annum from the date the amount became due to the actual payment."

2. Shri Rohit Sharma, learned proxy counsel for Ms. Jyoti Chaudhary, learned counsel for the applicant very fairly submits that the applicant, before approaching this Tribunal had represented the respondent authorities vide letter dated 13.4.2013, which has not been decided till date. He further submits that the case of the applicant is squarely covered by the order dated 5th July, 2012 passed in the case of Natha Singh versus Union of India & Ors. (O.A.No.764/PB/2011) and order dated February 7, 2014 passed in the case of Sant Ram versus Bharat Sanchar Nigam Limited & Ors. (O.A.No.060/00109/2014).



3. Learned proxy counsel made a statement at the bar that the applicant will be satisfied if a time bound direction is given to the respondents to decide the pending representation of the applicant.

4. Issue notice of motion.

5. Sh. Rakesh Verma, learned counsel, who is having advance notices, puts in appearance on behalf of the respondents and states that he has no objection to the disposal of the present OA in the requested form.

6. Without going into the merits of the case, we dispose of the present O.A, at the admission stage, with a direction to the respondents to decide the pending representation dated 30.4.2013 (Annexure A-3), within a period of two months from the date of receipt of a certified copy of this order, by passing a reasoned and speaking order.

(UDAY KUMAR VARMA)
MEMBER (A).

(SANJEEV KAUSHIK)
MEMBER (J)

Dated:- March 4, 2014.

Kks