

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. NO.060/00032/2014

Decided on: 16.01.2014

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

1. Tara Chand son of Shri Tilak Ram, aged 79 years, Sub Postmaster (Retd.), resident of # Ward No. 2, Gali No. 2, Patti Afgan, Arjun Nagar, Kaithal - 136027
2. S.K. Gupta son of Shri Babu Ram, aged 71 years, sub Postmaster (Retd.), resident of # 310/7, Adarsh Gali, New Colony, Kurukshetra - 136118.
3. Kishori Lal chadha son of Shri Jagan Nath, aged 75 years, PRI-P (Retd), resident of # Village and Post Office Shamgarh Via Tarouri, District Karnal (HR).
4. Hans Raj son of Shri Mansa Ram, aged 71 years, Sub Postmaster (Retd), resident of # 1403/11, Model Town, Dhand Road, Kaithal (HR)
5. Sita Ram son of Shri Devi Chand, aged 79 years, Sub Postmaster (Retd), resident of # 267/19, Sogian Street, Kaithal (HR).
6. Parsan Singh son of Shri Sawan Singh, aged 75 years, Sub Postmaster (Retd.), resident of Khurana Road Near Patha via Schol, Kaithal 136027 (HR).
7. Siya Ram Sharma son of Shri Madho Ram, aged 75 years, Postal Assistant (Retd.) Resident of # 198/2, Siwan Gate, Kaithal - 136027 (HR).
8. Madan Lal girdhar son of Shri Amir Chand aged 77 years, sub Postmaster (Retd) residing near Aggarwal Dharmasala, Pundri - 136026, District Kaithal (HR)

.....Applicants

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Versus

1. Union of India through Secretary, Department of Telecommunications, 415, Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001.
2. The Chairman-cum-Managing Director, BSNL, corporate Office, Bharat Sanchar Bhawan, H.C. Mathur Lane, Janpath, New Delhi - 110001.
3. Chief General Manager, (Telecom), Haryana Telecom Circle, BSNL, Ambala Cantt.

.....Respondents

Present: Mr. Manohar Lal, counsel for the applicants

Mr. Rakesh Verma, counsel for Resp. No. 1

Mr. D.R. Sharma, counsel for Respondents No. 2 & 3

Order (Oral)

BY HON'BLE MR. SANJEEV KAUSHIK, MEMBER(J)

1. The applicants herein, who are septuagenarian, have retired from the Postal Department. By way of the present O.A., they have sought issuance of a direction to the respondents to grant them the benefit of concessional telephone facility as is admissible to the retired employees of Department of Telecommunication.
2. Learned counsel for the applicants submitted that the applicant have made a representation dated 14.11.2013 (Annexure A-8) for the grant of the relevant benefit to the respondents, stating therein that the said benefit has been granted to the similarly circumstanced employees in O.A. NO. 196/HR/2013 titled Om Parkash & Others Vs. Union of India & others but the respondents have not taken a view on the same. Learned counsel submitted that the applicants would be

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content if a time-bound direction is issued to the respondents to consider their representation of the applicant and take a view in the light of decision in the case of Om Parkash & Others (supra).

3. Though there is a provision in the AT Act, 1985 to file an O.A. only after the expiry of six months of filing of a representation, we deem it appropriate to entertain the O.A. in view of the fact that the similar relief has already been allowed by this Tribunal and it should not be denied to the similarly circumstanced incumbents who happen to be septuagenarian.

4. Since the prayer herein has been restricted to issuance of a simple direction to the respondents to consider the representation of the applicants and take a view thereon, there is no need to issue notice to the respondents and call for their reply. However, Mr. Rakesh Verma, learned counsel and Mr. D.R. Sharma, learned counsel, who are having advance notice, appear on behalf of Respondent No. 1 and Respondents Nos. 2 & 3 respectively. They state that they have no objection to the disposal of the O.A. in the requested manner.

5. Accordingly, the O.A. stands disposed of, on consensual basis, with a direction to the Competent Authority amongst the respondents to consider and take a decision on the representation of the applicants within three months from the date of receipt of a copy of this order. The consideration shall take into account the fact and effect of the decision rendered in the case of Om Parkash & Others (supra). If

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the applicants are found entitled to the relevant benefit, the same be extended to them within a period of one month thereafter.

6. Needless to say, we have not commented upon the merits of the case.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 16.01.2014

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