

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 3243/2015

New Delhi, this the 1st day of September, 2015.

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)

Jharkhandi Rai
Age about 57 years
S/o Shri Majian Raj
Retd. Mazdoor (MZ 18781), MTNL
R/o B-320, Dakshin Puri
New Delhi. ... Applicant

(By Advocate : Shri Shoeb Shakeel)

Versus

1. Union of India
Through Secretary
Ministry of Communication and IT
Sanchar Bhawan,
20, Ashoka Road
New Delhi – 110 001.

2. The Director (Staff)
Ministry of Communication and IT
Sanchar Bhawan,
20, Ashoka Road
New Delhi – 110 001.

3. The Executive Director
Mahanagar Telephone Nigam Ltd.
Delhi Telephones, K.L. Bhawan
New Delhi – 110 050.

4. Asstt. General Manager (A-II) HQ
O/o The Executive Director
Mahanagar Telephone Nigam Ltd.
Delhi Telephones, K.L. Bhawan
New Delhi – 110 050. ... Respondents

ORDER (ORAL)

Heard the learned counsel for the applicant.

2. The applicant, while working as Mazdoor under the respondents, was compulsorily retired in view of his conviction in a criminal case, and he filed O.A. No.4078/2011 questioning the said penalty order. This Tribunal by its order dated 17.11.2011, while dismissing the said O.A., observed that ultimately if the applicant is acquitted in the criminal appeal, it would be open to the applicant to make a representation to the authorities to seek an appropriate relief. Since the applicant's Criminal Appeal was finally allowed vide order dated 19.11.2014 in Criminal Appeal No.138/2010 and Batch, he preferred an undated representation (Annexure A-11), followed by a legal notice (Annexure A-12), also undated, to the respondents intimating the fact of his acquittal in view of allowing of the criminal appeal and sought for his reinstatement into service. It is submitted that the respondents have not passed any orders thereon till date.

3. In the circumstances, the O.A. is disposed of at the admission stage, without going into the merits of the case, by directing the respondents to consider Annexure A-11 and Annexure A-12, i.e. representation and legal notice of the

applicant, and to pass appropriate speaking and reasoned orders thereon, in accordance with law, within 90 days from the date of receipt of a copy of this order. No order as to costs.

(V. AJAY KUMAR)
Member (J)

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