

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH**

Original Application No.180/00954/2018

Wednesday, this the 28th day of November, 2018

C O R A M :

HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER

1. Rajendran Nair,
S/o.Kuttappan Pillai,
BSNL Casual Mazdoor,
Niyama Sabha Exchange,
Vellayambalam Sub Division,
Thiruvananthapuram – 695 512.
Residing at Kundrathala Mela R.S.House,
Parambukonam, Mottamoodu,
Naruvamodu, Thiruvananthapuram – 695 528.

2. Vamadevan Nair C,
S/o.Chellappan Nair,
BSNL Casual Mazdoor,
Niyama Sabha Exchange,
Vellayambalam Sub Division,
Thiruvananthapuram – 695 512.
Residing at Anooj Bhavan,
Arumaloor, Kandala P.O.,
Kavalassery (Via), Thiruvananthapuram – 695 512.Applicants

(By Advocate – Mr.Kaleeswaram Raj with Mr.Varun C Vijay)

v e r s u s

1. Union of India
represented by Secretary to Government,
Department of Telecommunications,
20, Sanchar Bhawan,
Ashoka Road, New Delhi – 110 001.

2. Bharat Sanchar Nigam Ltd. (BSNL),
represented by its Chairman,
Eastern Court, Janpath,
New Delhi – 110 001.

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3. Chairman and Managing Director,
Bharat Sanchar Nigam Limited (BSNL),
Eastern Court, Janpath,
New Delhi – 110 001.
4. The Chief General Manager,
BSNL, NH 47, PMG,
Thiruvananthapuram, Kerala – 695 001.
5. Principal General Manager,
Telecom, BSNL,
Thiruvananthapuram – 695 001. ...Respondents

**(By Advocates – Mr.N.Anilkumar, SCGSC [R1]
& Mr.T.C.Krishna [R2-5])**

This application having been heard on 28th November 2018, the Tribunal on the same delivered the following :

O R D E R

The present O.A is filed by the applicants herein seeking to set aside Annexure A-3 and Annexure A-4 as unjust, illegal and arbitrary and for regularization of their service as per Annexure A-6 with effect from the date of their initial appointment.

2. During the course of argument it is transpired that the applicants have already approached the Labour Commissioner, who has sent report of failure of reconciliation of dispute under the provisions of Industrial Disputes Act, 1947. Learned counsel for the respondents submitted at the bar that the present application is not maintainable in the present form and it falls within the jurisdiction of Labour Tribunal.

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3. After hearing both the counsel, I am of the view that this Tribunal has no jurisdiction over this matter. Thus, the O.A is dismissed for want of jurisdiction with liberty to the applicant to approach appropriate forum.

4. In view of the order in the O.A., M.A.No.180/01278/2018 is closed. No order as to costs.

(Dated this the 28th day of November 2018)

**ASHISH KALIA
JUDICIAL MEMBER**

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List of Annexures in O.A.No.180/00954/2018

- 1. Annexure A-1** – True copy of the order dated 6.9.1993 in O.A.No.771/1992.
- 2. Annexure A-2** – True copy of the communication dated 22.2.1993 w.r.t. the 2nd applicant.
- 3. Annexure A-3** – True copy of the communication dated 27.11.2017 along with the covering letter.
- 4. Annexure A-4** – True copy of the communication dated 18.12.2017 received by the applicants.
- 5. Annexure A-5** – True copy of the representation dated 15.3.2018 submitted before the Managing Director.
- 6. Annexure A-6** – True copy of the letter dated 29.8.2018 obtained through RTI provisions.
