

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

Original Application No.350/00859/2017

M.A.No.350/00505/2017

Date of Order: This, the 15th Day of September, 2017.

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER
THE HON'BLE DR.(MS.) NANDITA CHATTERJEE, ADMINISTRATIVE MEMBER

1. Kousik Ghosh,
Son of Kashinath Ghosh,
Flat No.5,16,
Jiban Krishna Mitra Road,
Kolkata-700037.
2. Subhas Bairagya
Son of Sadhandas Bairagya
21/A, Anandapuri B.Road, Post Office
N.C.Pukur,
Barrackpore, Kolkata-700122.

... Applicant

-Vs-

1. Union of India
Service through its Secretary, Department of
Telecommunication, Ministry of Communications and
Information Technology, 20 Ashoka Road,
New Delhi-110001.
2. Bharat Sanchar Nigam Limited
(A Government Enterprise) service through the Chairman &
Managing Director, Bharat Sanchar Bhawan,
7th Floor, Harish Chandra Mathur Lane, Janpath, New Delhi-
110001.
3. The Director (HR),
Bharat Sanchar Nigam Limited ,
Bharat Sanchar Bhawan,
7th Floor Harish Chandra Mathur Lane,
Janpath,

New Delhi-110001.

4. The Chief General Manager,
Calcutta Telephones District,
BSNL, Telephone Bhawan, 34,BBD, Bag
Kolkata-700001.
5. The General Manager (HR & Admn.), Calcutta Telephones
District, BSNL, Telephone Bhawan, 34, B.B.D
Bag, Kolkata-700001.
6. The Deputy General Manager
(HR & Admn),Calcutta Telephones District,
BSNL, Telephone Bhawan,
34, B.B.D.Bag, Kolkata-700001

Respondents

For the applicant: Md.A.Huq
Ms.M.Mitra

For the respondents: Mr.S.Panda

ORDER (ORAL)

MANJULA DAS, MEMBER (J):

This application has been filed by the applicants seeking permission to file this application jointly under Rule 4 (5) (a) of CAT, (Procedurè) Rules 1985. Permission is granted.

2. By this O.A., the applicants make prayer for direction to the respondents seeking following reliefs:-

"(a) An order directing the respondents to treat the applicants as JTO(T) w.e.f. notionally w.e.f. 06.11.2013 and to provide financial benefits by treating them as JTO(T) with effect from 06.07.2015 and to allow all consequential benefits.

(b) An order directing the respondents to take a decision on the representation of the applicants dated 10.04.2017 by giving an

opportunity of hearing to the applicants and to pass a reasoned order within a time bound period.

(c) An order directing the respondents to grant all consequential benefits including promotions after making necessary rectifications and review in terms of prayer (b) and (c)

(d) An order directing the respondents to produce/cause production of all the relevant records.

(e) Any other order or further order/orders as to this Hon'ble Tribunal may deem fit and proper."

3. Heard Md. A.Huq, learned counsel for the applicants and Mr.S.Panda, learned counsel for the Respondents.

4. Counsel for the parties agreed that they have no objection if the representation dated 10.04.2017 pending before the authority is disposed of within time frame.

5. The applicants No. 1 & 2 made a representation dated 10.4.2017 before the Chief General Manager (T), BSNL (respondent No.4) by ventilating their grievances with prayer to treat the them as JTO(T) notionally w.e.f. 06.11.2013 i.e the date on which the result was published and further prayed for allowing financial benefits as JTO(T) w.e.f 06.07.2015 that is the day on which the first result of Ex-servicemen was published in terms of order passed in O.A.No.1734/2013 as well as their regular service in JTO(T) cadre should be counted w.e.f. 06.11.2013 for



consideration of their candidature in future departmental competitive examination.

6. According to the learned counsel, the said representation dated 10.4.2017 still pending before the Respondent No.4 and not yet disposed of.

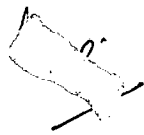
7. We are in view that let the authority to decide the representation made by the applicants. Accordingly, we direct the respondent No.4 i.e the Chief General Manager, Calcutta Telephones District, BSNL, Telephone Bhawan, 34, B.B.D. Bag, Kolkata-700001 to dispose of the representation dated 10.4.2017 within a period of 4 months from the date of receipt of the order by giving adequate opportunity of being heard.

8. The decision so arrive by the authority shall be reasoned and speaking and be communicated to the applicants forthwith.

9. With the above observations and directions, O.A. stands disposed of accordingly.

10. No order as to costs.

In view of the order passed in O.A.No.350/00859/2017, this M.A. is allowed.



(DR.NANDITA CHATTERJEE)
MEMBER (A)

(MANJULA DAS)
MEMBER(J)

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