

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**MUMBAI BENCH, MUMBAI.**

**ORIGINAL APPLICATION No.279/2018.**

**Date of Decision: 13.04.2018.**

***CORAM: HON'BLE SHRI ARVIND J. ROHEE, MEMBER (J)***  
***HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A)***

1. Shri. Nitin N. Sali,  
Aged 53 years,  
Working as Office Superintendent (T)  
O/o. The CGMT BSNL Santacruz (W)  
Mumbai 400054.

Residing at 501 Panch Bunglow,  
BSNL Staff quarter, Near Sangam  
Cinema, Andheri Kurla Road,  
JB Nagar Andheri (East) 400059.

2. Shri. Vijay K. Talekar,  
Aged 53 years,  
Working as Office Superintendent (T)  
O/o. The CGMT BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 601 Sai Apartment, 64-B,  
B P Marg Parel Village Mumbai-12.

3. Smt. Sujata B. Patil,  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT BSNL Santacruz (W)  
Mumbai 400054.  
Residing at Ekveera Apprtt. 4<sup>th</sup> Floor,  
R.N. 412 Dr. S. Radhakrishnan Road,  
Andheri East Mumbai 400069.

4. Smt. Supriya G. Dalavi  
Aged 52 years,  
Working as Office Superintendent (T)  
O/o. The CGMT BSNL Santacruz (W)  
Mumbai 400054.  
Residing at R.N. 302, 3<sup>rd</sup> floor Prerana  
Shri Prasad Co op Hsg Society,  
Naupada Thane (West).

5. Shri. D.P. Karambe,  
Aged 56 years,

Working as Office Superintendent (T)  
 O/o. The CGMT BSNL Santacruz (W)  
 Mumbai 400054.

Residing at A-12/3 P&T Colony,  
 Vakola Santacruz (E) Mumbai 29.

6. Smt. Shradha S. Shirdhankar  
 Aged 54 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at A/12 Chheda Complex Charkop  
 Village MG Road Kandivali (W),  
 Mumbai 400067.

7. Smt. Manamma S. Pagadimarri  
 Aged 53 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at 1/E 202 Indira Nagar Soc.  
 Opp. Manjarekar Market, JSYK Road Sion  
 Koliwada Mumbai 400037.

8. Smt. Manjusha M. Shah  
 Aged 55 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at C-1-B/2&C, Ground Floor, P&T Colony  
 Sahar Road, Andheri (E)  
 Mumbai 400099.

9. Shri. Pravin Manjarekar,  
 Aged 55 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at 182-B/6554 Gr Floor,  
 Kannamwar Nagar-2 Vikhroli (E)  
 Mumbai 400083.

10. Smt. Archana P. Bhise,  
 Aged 56 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at Chitralekha Co-op HSG Soc.  
 A/G/1 Vikram Nagar Kalwa Thane 400605.

11. Smt. Usha A. Kamble,  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at A/201 Shanti Mahal Soc.  
Kopri Colony Opp Kishan Leela Tower,  
Thane (E) 400601.

12. Smt. Vandana A. Mhatre  
Aged 54 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 14 Sushil R. No. 3 1<sup>st</sup> Floor,  
Veer Savarkar Marg Shivaji Park Dadar  
Mumbai 400028.

13. Smt. Nanda T. Ghadigaonkar  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 11-A/401 Om Sai Ram HSG Soc.  
Sai Wadi Andheri (E) Mumbai 400069.

14. Smt. Leena U Rangnekar  
Aged 56 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at C-38, Anupreeta Co Hsg Soc.  
Veer Desai Road, Azad Nagar Rd-3,  
Andheri (W) Mumbai 400053.

15. Smt. Rashmi R. Survé,  
Aged 54 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh. BSNL Santacruz (W)  
Mumbai 400054.  
Residing at A/9 3<sup>rd</sup> Floor Mahendra Smruti  
Dr. Walimbe Rd., Parel Village,  
Mumbai 400012.

16. Smt. Anviti S Kesarkar,  
Aged 52 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.

Residing at F/2 Telephone Colony Mogal Lane,  
Matunga Road, Mumbai 400016.

17. Shri. S.D. Pandit,  
Aged 54 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at D4/4 P&T Colony Mulund (W)  
P.M.M.M. Road, Mumbai 400080.

18. Shri. Shripad P. Chandekar,  
Aged 53 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 405 Type III Bldg. BSNL Quarter Colony  
Gorai Road Borivali (W)  
Mumbai 400091.

19. Shri. Sanjay D. Devlekar,  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 205 Type III Bldg. BSNL Quarter  
MHB Colony Gorai Road Borivali (W)  
Mumbai 400091.

20. Smt. Vinda V. Parab,  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at Shilpi 701 Mulund (E)  
Mumbai 400091.

21. Shri. Vinod L. Jinde  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at Sagar CHS Ltd Sector 10/8-b/24  
Koparkhairane, Navi Mumbai 400709.

22. Smt. Gauri M. Khalwadekar  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)

Mumbai 400054.  
 Residing at A/202 Link Saibaba  
 Complex Goregaon (E) Mumbai 400063.

23. Smt. Irene C. Fernandes,  
 Aged 54 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at R.N. 12 Kaveri Bldg BSNL  
 Quarter Wireless compound Santacruz  
 Mumbai 400054.

24. Smt. Anagha D. Kulkarni  
 Aged 55 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at 501 Srinivas Liberty Garden Rd.  
 No. 1, Malad (W) Mumbai 400064.

25. Smt. N.R. Bandivadekar  
 Aged 56 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at 506, Amrutwel Co-op Hsg. Society,  
 Lalbaug Mumbai 400012.

26. Smt. Dorothy N. Dsouza  
 Aged 53 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at Shree Sai Darshan CHS A/2  
 Siddhi Vinayak Marg Bhayandar (W)  
 Distt Thane 401101.

27. Smt. Namrata D. Patil  
 Aged 55 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at B-1/21/104 Saraf Chadhary  
 Nagar Thakur Complex Kandivali (E)  
 Mumbai 400101.

28. Ms. Kankuben K Kanparia  
 Aged 53 years,

Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.

Residing at Bhoomi Green E-318 Raheja  
 Estate Borivali (E) 400066.

29. Smt. Sharvari S Patankar  
 Aged 55 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at BSNL Complex III/303 Gorai  
 Borivali (W) Mumbai 400091.

30. Smt. Rutuja R Joshi  
 Aged 55 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at E-1704 Shiv Sai Complex  
 Richmand Bldg., Majiwada Thane 400601.

31. Kum. Karuna D. Joshte  
 Aged 56 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at Neelkantha Park Bldg No. 1/C-16  
 Karve Road Dombivali (W) 4221201.

32. Smt. Snehal S. Mandrekar  
 Aged 53 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at A-21, Tarang Vihar P&T Colony  
 Wadala Mumbai 400031.

33. Smt. Vidula V. Sawant  
 Aged 54 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at Akruti CHS B/101 1<sup>st</sup> floor New Link  
 Road Borivali (W) Mumbai 400092.

34. Shri. Dilip P. Karpe  
 Aged 53 years,  
 Working as Office Superintendent (T)

O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 403, Punch Bangalow, BSNL Quarter,  
J.B. Nagar Andheri (E) Mumbai 400069.

35. Shri. Pramod D. Deodhar  
Aged 54 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at R.N. 11, Bldg No. 12/C Zavbawadi  
Thakurdwar Mumbai 400004.

36. Smt. Sampada S. Parab  
Aged 53 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 2/39, Vitthal Sadan D.N. Lad Marg,  
Chinchpokali Mumbai 400012.

37. Smt. Samidha C Mahale  
Aged 54 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 3/102 Asmita Mogra CHS Andheri  
Mumbai 400093.

38. Smt. Kavita R. Ghadi  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 16/1098 Giriraj CHS Abhudaya Nagar,  
Kalachowki Mumbai 400033.

39. Smt. Pallavi S. Wadkar  
Aged 56 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 29/B Smitanjali CHS Kasamgo Nagar,  
S.V. Road, Borivali (W) Mumbai 400092.

40. Shri. R.H. Dharampurkar  
Aged 59 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)

Mumbai 400054.  
Residing at 41/1 Patel Terrace, Jorbai Wada  
Parel Mumbai 400012.

41. Smt. Jayshree J. Kelkar  
Aged 53 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at B-13 Paramsukh Society Naupada  
Thane 400601.

42. Smt. Jyoti J Manjrekar  
Aged 52 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at Manik Apt. C/102 B.S. Road  
Dadar (W) Mumbai 400028.

43. Shri. Ramesh B. Ramane  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at Sai Niwas A CHS G-1 Samarth  
Ramdas Nagar Vasai (E) 400703.

44. Smt. Madhuri G. Kulkarni  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at 1805, 18<sup>th</sup> Floor RN 5 Jayant  
Ganesh Krupa Bldg. Girgaon,  
Mumabi 400004.

45. Mrs. Vidya Vivek Pathak  
Aged 55 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)  
Mumbai 400054.  
Residing at Bldg. N. 18/967 Sardar Nagar No. 1  
MHB Colony Sion Koliwada Mumbai 400022.

46. Mrs. Shraddha Amberkar  
Aged 53 years,  
Working as Office Superintendent (T)  
O/o. The CGMT Mh BSNL Santacruz (W)

Mumbai 400054.  
 Residing at 53/304 Priyadarshini CHS L.T.  
 Road, Gorai II Borivali (W) 400092.

47. Mrs. Meena Manohar Kondvilkar  
 Aged 56 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT Mh BSNL Santacruz (W)  
 Mumbai 400054.  
 Residing at 53/402 Priyadarshini CHS L.T.  
 Road, Gorai II Borivali (W) 400092.

48. Bharati G. Gawade  
 Aged 57 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMT WTR  
 Mumbai 400028.  
 Residing at 203 Panch Bungalow BSNL  
 Staff quarter JB Nagar Andheri (E),  
 Mumbai 400059.

49. Shri. Chhaya A. Patil  
 Aged 54 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMM WTR  
 Mumbai 400028.  
 Residing at Gharkul Bldg. 8<sup>th</sup> Floor R.N. 808,  
 Prabhadevi Mumbai 400025.

50. Smt. Ashwini B. Pawale  
 Aged 53 years,  
 Working as Office Superintendent (T)  
 O/o. The CGMM WTR  
 Mumbai 400028.  
 Residing at B/103 Sai Krupa Society K V Chitale  
 Path Dadar (W) Mumbai 400028.

51. Smt. Shweta V. Vanage  
 Aged 55 years,  
 Working as Office Superintendent (T)  
 O/o. The GMM WTR Thane 400605  
 Residing at 3A 203 NMM Society Mumbai  
 Pune Road Kalwa (W) Thane 400605. .... *Applicants*  
*(By Advocate Shri G.B. Kamdi)*

**Versus**

1. Bharat Sanchar Nigam Ltd.,  
Through Chairman & Managing Director,  
Bharat Sanchar Bhawan H C Mathur  
Lane Janpath New Delhi 110001.

2. The Chief General Manager  
BSNL Maha Circle, Admn Bldg.,  
Juhu Danda Santacruz (W),  
Mumbai 400054.

3. The Chief Manager WTR  
BSNL, Telephone House Prabhadevi  
Prabhadevi Dadar Mumbai 400028.

4. The Secretary  
Ministry of Communication, Dept. of  
Telecommunication Sanchar Bhawan  
20 Ashoka Road, New Delhi 110001.

*...Respondents*

**ORDER (Oral)**

*Per : Shri A.J. Rohee, Member (J)*

Today when the matter is taken up for Admission, heard Shri G.B. Kamdi, learned Advocate for the Applicants. We have carefully perused the case record.

**2.** By this Joint Application under Section 19 of the Administrative Tribunals Act, 1985, the Applicants who are presently working as Office Superintendents under Respondent No.3 in BSNL Mumbai, seek regularization from the date they rendered service as short duty Telegraphists between 1983 to 1985.

**3.** In this OA, the following reliefs are sought;

**“8.a)** *This Hon'ble Tribunal be pleased to call for record and after examining the legality, validity and propriety of the same be pleased to declare the action of the respondent regarding not considering the case of the applicants for the regularization from the date they rendered the service to the department as short duty Telegraphist as prayed in representations is illegal, null and void.*

**8.b)** *This Hon'ble Tribunal may direct the respondent to regularise the services as short duty Telegraphist after completion of the training from the date of their initial appointment with all consequential benefit as decided by the Hon'ble CAT Bench Ernakulam in the OA No. 133/2009.*

**8.c)** *This Hon'ble Tribunal may direct the respondent to consider the case of the applicant for counting of the training period for increment and pensionary benefit as FRSR Rule 26 and CCS Pension Rule 22.*

**8.d)** *Any other and further orders as this Hon'ble Tribunal may deem fit, proper and necessary in the facts and circumstances of the case.*

**8.e)** *The cost of this original application be provided”.*

**4.** The record shows that the individual representation submitted by the Applicants to the Chief General Manager, BSNL, Mumbai in December 2017 are still pending for consideration. In view of above, we are of the considered view that ends of justice will be better served, if appropriate directions are issued in this matter.

**5.** Along with OA, MA 210/2018 is filed for permission to file Joint Petition. The same is **allowed**, since applicants are similarly placed and are seeking same reliefs.

**6.** Along with OA, MA 211/2018 is filed for condonation of delay in approaching this Tribunal.

**7.** Considering the fact that there is no impugned order as such rejecting the claim of the Applicants, competent authority from Respondent Nos.1 to 4 is directed to consider and pass a reasoned and speaking order on the pending representations of the applicants in accordance with law, within a period of four weeks from the date of receipt of certified copy of this order.

**8.** While considering the representations, the contention of the applicants that they are identically placed with others to whom reliefs sought by them is already granted should also be considered.

**9.** The order so passed shall then be communicated to the applicants at the earliest, who will be at liberty to approach

the appropriate forum, in case their grievance still persists.

**10.** The OA stands disposed of with the aforesaid directions at the admission stage, without issuing notice to the respondents or without making any comments on merits of the claim and keeping all the legal pleas open.

**11.** Registry is directed to forward certified copy of this order to both the parties at the earliest for taking appropriate steps in the matter.

***(R. Vijaykumar)***  
***Member (A)***

***(A.J. Rohee)***  
***Member (J)***

*dm.*