

CENTRAL ADMINISTRATIVE TRIBUNAL
AMHEDABAD BENCH

O.A. No. 517 of 2018 With M.A. No. 432/2018

Ahmedabad, this the 29th day of November, 2018

CORAM :

Hon'ble Ms. Archana Nigam, Member (A)

Hon'ble Sh. M.C. Verma, Member (J)

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Shri Parshottambhai S/o Shri Jivabhai Parmar, aged 57 years, working as Assistant OS(G) Thara, in the office of the respondents, residing at 11, Kamaldeep Bunglow, Hansa Par, District Patan – 384 265

...Applicant

(By Advocate :Mr.M.S.Trivedi)

VERSUS

- 1- The Chief Genral Manager, O/o CGM, Gujarat Circle, BSNL, Navrangpura Telephone Bhavan, Ahmedabad – 380 009.
- 2- The General Manager, O/o G.M., Telecom District, New Telephone Exchange Building, Jorawar Palace, Palanpur – 385 001.
- 3- The Accounts Officer (Pay & Allowance), O/o G.M., Telecom District, New Telephone Exchange Building, Jorawar Palace, Palanpur – 385 001.

...Respondents

O R D E R

Per M.C.Verma, Member (Judicial)

Heard the learned counsel for applicant.

2. Applicant Shri Parshottambhai J. Parmar has approached this Tribunal, seeking directions to respondents to treat the period of training i.e. RTP from 1.4.1984 to 3.7.1987 towards qualifying service. The case of the applicant as has been set out in the O.A., is that he was appointed in December 1983, on the post of TO and was sent for training, that he remained on training from April 1984 to July 1987 and after training, he was posted as TO w.e.f. 4/7/1987. The grievances of the applicant, as emerged from the O.A., are that the period spent by him on training, was not treated as duty period by the respondents. He, on 15/10/2001, made requests to the respondents to count the period spent by him on training for calculating the

length of service and on 29.07.2004 gave reminder to count / treat period of training as service period, but the same still are unanswered.

2. The matter is at the stage of notice and we find that applicant has challenged inaction on the part of the respondents not to decide his representation and his contention is also that on same controversy the Ernakulam Bench vide order dated 9.7.2010, passed in *OA No. 133/2009*, which was also upheld by the Hon'ble High Court of Kerala on 10.8.2017 in *R.P. No. 880/2013*, has extended similar benefits to the applicants of O.A. No. 133/2009.

3. In the facts and circumstances of the case, though the representations of applicant is of year 2001 and reminder is of year 2004, meant to say 14-15 years old, but keeping in view that the length of service would have affect on several issues, including pension and retiral benefit as well and that the applicant is stated to be still in service so, we feel it appropriate to dispose the O.A. at the stage of notice with some directions, as has also been urged by the learned counsel. It would be feasible to direct the respondents to dispose of the pending representation(s) of the applicant (dated 15/10/2001 and reminder dated 29/07/2004), if not already have been decided, expeditiously, but not later than in period of three months.

4. Accordingly, the respondents are directed to consider the case of applicant as per law, and communicate the decision on his representation(s) by a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order.

5. The O.A. and the pending M.A. No. 432/2018, filed for condonation of delay, are accordingly disposed of at this stage of admission.

(M.C.Verma)
Member (J)

(Archana Nigam)
Member (A)

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