

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

**C.P. No.63/19/2019 IN
O. A. No.63/1420/2017
M.A. No.63/193/2019
M.A. No.63/195/2019**

Date of decision: 14.03.2019

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

1. Jai Pal, HRMS No.200000220, Aged 59 years, S/o Sh. Lachhman Dass, working as Assistant Telecom Technician (ATT), NTR O/o Additional General Manager, Telecom Project, Baddi (H.P.)-Group C.
2. Shyam Lal, HRMS No.200000334, S/o Sh. Lodhi Ram, working as Assistant Telecom Technician (ATT), O/o The Sub Divisional Engineer, OFC Route NTR Nahan (H.P.)-173001-Group C.

... PETITIONERS

VERSUS

1. Ms. Aruna Sunderarajan, Secretary, Govt. of India, Ministry of Communications & Information Technology, Department of Telecommunications, New Delhi-110001.
2. Sh. Anupam Shrivastava, Chairman-cum-Managing Director, BSNL, Harish Chander Mathur Lane, Janpath, New Delhi-110001.
3. Sh. Arun Kumar Aggarwal, Chief General Manager H.P. Circle, Bharat Sanchar Nigam Limited, SDA Complex, Block No.11, Kasumpti, Shimla-171009.
4. Sh. Ravinder Kumar, General Manager Telecom District, BSNL, Himuda Compex Saproon, District Solan, Himachal Pradesh-173212.

... RESPONDENTS

PRESENT: Sh. Sandeep Siwatch, counsel for the petitioners.
Sh. Sanjay Goyal, counsel for respondent No.1.
Sh. K.K. Thakur, counsel for respondents no.2 to 4.

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. Sh. K.K. Thakur, learned counsel for respondents No.2 to 4 apprised this Court that in pursuance to order dated 4.5.2019, violation of

which has been alleged in this C.P., whereby respondents were directed to consider the case of the petitioners in terms of decisions relied upon by them in the O.A. and if they are found similarly situated then benefit was to be extended, the respondents have considered claim of the petitioners and have passed speaking order dated 1.3.2019 whereby they have rejected claim of the petitioners and copy of the same has already been forwarded to petitioners through registered post. He submitted that since respondents have considered the claim of the petitioners vis a vis cases relied upon by them and found that they cannot be granted benefit and order to this effect has been communicated, therefore, the present C.P. may be closed.

2. In the wake of the above, since respondents have passed speaking order by giving reasons as to why petitioners cannot be granted the relevant benefit on the basis of relied upon cases, we are satisfied that they have indeed complied with the order. If petitioners are aggrieved against this order, then they have to challenge the same on original side and quashing of this order is not within the scope of the C.P.
3. Accordingly, the C.P. is closed by extending the indicated liberty to the petitioners. M.As also stand disposed of.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 14.03.2019.
Place: Chandigarh.

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