

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/20/942/2019

Dated: 21/10/2019

Between

Chinthimi Sangamesha,
S/o. Late C. Basava Raju,
Aged about 42 years, HRMS No.200302602,
Occ: Junior Telecom Officer, BSNL,
O/o Divisional Engineer TM,
Southern Telecom Region,
Kurnool, Andhra Pradesh ó 518 004.

... Applicant

And

1. Union of India rep. by
Secretary,
Dept. of Telecommunications,
20 Ashoka Road,
New Delhi ó 1.
2. The Bharat Sanchar Nigam Limited rep. by its
Chairman cum Managing Director,
BSNL Corporate Office, Barakumba Road,
Statesman House, New Delhi ó 1.
3. The Chief General Manager, BSNL,
Southern Telecom Region,
Guindy, Chennai.
4. The Additional General Manager (Mtce),
Southern Telecom Sub Region,
Jayanagar, Bangalore ó 41.
5. The Principal General Manager,
Southern Telecom Region,
Hyderabad.

... Respondents

Counsel for the Applicants : Dr. A. Raghu Kumar
Counsel for the Respondents : Mrs. K. Rajitha, Sr. CGSC
Mr. M.C. Jacob, SC for BSNL

CORAM :

Hon'ble Ms. Manjula Das, Member (Judl.)
Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORAL ORDER

{Per Honøble Ms. Manjula Das, Member (Judl.)}

MA/20/777/2019 has been filed by the applicant for condoning the delay of five months. Dr. A. Raghu Kumar, learned counsel for the applicant submitted that the delay has occurred as the respondent authorities did not intimate at all since the order dated 18.5.2018 has not yet been implemented. The present O.A. is filed a bit late due to the fact that the matter is pending before the department for implementation. Mr. M.C. Jacob, learned counsel appearing for the respondents objected heavily for condoning the delay.

2. Taking into account the fact that the matter is pending before the department, we have condoned the delay of five months. M.A. is thus allowed.

ORDER IN O.A.

This O.A. has been filed by the applicant with a prayer for setting aside the order dated 28.5.2018 by which the BSNL, Bangalore issued an order of recovery amounting to Rs.4,24,026/-, due to anamoly of the pay fixation made by the respondents. According to the counsel for the applicant, there is no lapse on the part of the applicant and due to the fault of the respondents, the applicant shall not be made to suffer.

2. It is further submitted by the learned counsel for the applicant that the applicant has made a representation dated 23.09.2019, which is also not attended to by the respondents. In view of that, learned counsel for the

applicant suggested that the O.A. can be disposed of directing the respondents to dispose of the representation of the applicant.

3. Learned counsel for the respondents has no objection if the authority has decided the issue.

4. By accepting the prayer made by the learned counsel for the applicant and the no objection expressed by the learned counsel for the respondents, we direct the Respondent No.3 to consider the case of the applicant by disposing of his representation dated 23.09.2019 within a period of three months from the date of receipt of a certified copy of this order. It is made clear that the decision arrived at shall be communicated to the applicant forthwith by passing a reasoned and speaking order. In the meanwhile, no recovery shall be effected.

5. With the above direction, the O.A. is disposed of accordingly. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)
pv

(MANJULA DAS)
MEMBER (JUDL.)