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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL CALCUTTA  
BENCH

O. A. No. 350/1349 Of 2016

An application under Section 19 of  
the Administrative Tribunal Act,  
1985.

TITLE OF THE CASE

In the matter of:

Sri Ripon Adhikary son of Late  
Manoranjan Adhikary residing at  
Rajpur, Kolkata-700151.

.....Applicant

VERSUS

1. Bharat Sanchar Nigam Limited, A  
Government of India Enterprise  
having its registered and corporate  
office at Statesman House, 148,  
Barakhamba Road, New Delhi-  
110001.

2. The Chief General Manager,  
Bharat Sanchar Nigam Limited,  
having its registered and corporate  
office at Statesman House, 148,  
Barakhamba Road, New Delhi-  
110001.

3. The Director General, Bharat Sanchar Nigam Limited, having its registered and corporate office at Statesman House, 148, Barakhamba Road, New Delhi-110001.

4. The Chief General Manager, Bharat Sanchar Nigam Limited Calcutta Telephones, Telephone Bhawan, 3<sup>rd</sup> Floor, 34, B.B.D Bag (South) Kolkata-700001.

5. Sub-Divisional Engineer Zone-34, Bharat Sanchar Nigam Limited Sonarpur Telephone Exchange, Kolkata-700150.

6. The Area Manager, Bharat Sanchar Nigam Limited, Ranikuthi, Kolkata-700040.

7. Bose Enterprise having office at A/89 Rabindra Pally Baghajatin, Kolkata-700086.

Respondents



CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A/350/1349/2016

Date of Order: 27.09.2019

Coram: Hon'ble Ms. Manjula Das, Judicial Member  
Hon'ble Mr. N. Neihsial, Administrative Member

Ripan Adhikary ---Applicant

Versus

BSNL ---Respondents

For the Applicant (s): Applicant, in person

For the Respondent(s): None

ORDER (ORAL)

Per: Mrs. Manjula Das, Judicial Member:

Heard Sri Ripan Adhipary, the applicant, who appeared in person.

2. None appears on behalf of the respondents.

3. This O.A. has been filed by the applicant seeking the following reliefs:

a. An order directing the concerned respondent authorities to absorb the applicant as a permanent employee under the respondent No.-1 in commensurate with his continuous service for more than 10 years under the respondent No.1.

b. An order directing the respondent authorities to treat the applicant as an employee of their department forthwith and to pay him the just and appropriate amount for his job.

c. Declaration that the applicant is entitled to be absorbed as a permanent employee under the respondent No.1 for his continuous work for more than 18 years under the same respondent No.1.

d. And pass such other order....."

4. The case of the applicant as submitted by him is that he was engaged by the respondent authorities to work as Cleaner w.e.f. 01.10.1997. A temporary gate pass was issued in the name of the applicant, which was renewed from time to time. After bifurcation of Department of Telecommunication in the year 2000,

the applicant worked under BSNL for more than 18 years. The grievance of the applicant is that even after working for so many years, he has not been absorbed. The applicant had earlier moved before the Hon'ble High Court of Calcutta in W.P. No. 19745(W) of 2007, which was dismissed on 09.08.2016 granting liberty to the applicant to move before this Tribunal. Accordingly, the applicant has filed this OA with the aforementioned reliefs:

5. In course of hearing, the applicant, at the outset, submitted that he will be satisfied if he is allowed to make a comprehensive representation before the appropriate authority ventilating his grievance and for consideration of his case.
6. By accepting the prayer made by the applicant, without going into the merit of the matter, we allow the applicant to make a comprehensive representation within a period of one month from the date of receipt of copy of this order. On receipt of such representation, the respondent authority, before whom the representation is proposed to be made, shall consider and dispose of the same by issuing a reasoned and speaking order within a period of 3 months from the date of receipt of such representation, which shall be communicated to the applicant forthwith.
7. M.A.No. 750/2019 filed for interim order is not entertained at this stage and hence rejected. M.A. is, accordingly, dismissed.
8. With the above observation and direction, the O.A stands disposed of No order as to costs.

(N. Neihsial)  
Member (A)

(Manjula Das)  
Member (J)