

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Order: May 23, 2018

+ **W.P.(C) No. 5565/2018 & CM No. 21676/2018**

ALL INDIA BHARAT SANCHAR NIGAM
LIMITED RETIRED EXECUTIVES' ASSOCIATION
& ORS. Petitioners

Through: Ms. C K Sucharita and Ms. Nikhar
Berny, Advocates

versus

UNION OF INDIA THROUGH SECRETARY,
(TELECOM) & ORS. Respondents

Through: Mr. Sanjeev Narula, CGSC, Mr.
Vinod Tiwari and Ms. Anumita
Chandru, Advocates

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. In the first instance, petitioner-Association had directly approached the Supreme Court of India and SLP was withdrawn by petitioners' counsel with liberty to approach this Court.

2. Learned counsel for respondents at the outset raises a question of jurisdiction by submitting that the relief sought in this petition is against respondent-*Bharat Sanchar Nigam Limited*, which is notified in Section 14 of the Administrative Tribunals Act, 1985. It is also pointed out that another Association i.e. *All India Bharat Sanchar Nigam Limited Retired Executives' Association and Others* has already filed an original

application before the Central Administrative Tribunal, New Delhi in which challenge has been laid to the Office Memorandum of 18th July, 2016.

3. Learned counsel for petitioners submits that the challenge herein is also to another Office Memorandum of 10th June, 2013 and since the petitioner nos. 2 to 39 are Senior Citizens who seek speedy relief and so this petition has been filed before this Court.

4. Since the jurisdiction to entertain this petition is with the Central Administrative Tribunal (CAT), therefore, this petition and the application are disposed of while relegating petitioners to approach the Central Administrative Tribunal (CAT), New Delhi.

5. With the aforesaid liberty, this petition and the application are accordingly disposed of.

Dasti.

**(SUNIL GAUR)
JUDGE**

MAY 23, 2018

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