

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K. SURENDRA MOHAN
&
THE HONOURABLE MR. JUSTICE SHAJI P. CHALY

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

O.P (CAT).No. 152 of 2015 (Z)

AGAINST THE ORDER IN O.A 180/00583/2015 OF CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH DATED 21-08-2015.

PETITIONER(S)/RESPONDENTS IN THE O.A:

1. THE PRINCIPAL GENERAL MANAGER, TELECOM,
BSNL BHAVAN, ERNAKULAM - PIN 682 016.
2. THE DEPUTY GENERAL MANAGER (ADM.),
OFFICE OF THE PRINCIPAL GENERAL MANAGER,
BHARAT SANCHAR NIGAM LTD, ERNAKULAM PIN- 682 016.
3. THE ASSISTANT GENERAL MANAGER (ADMN),
OFFICE OF THE PRINCIPAL GENERAL MANAGER
BHARAT SANCHAR NIGAM LTD, ERNAKULAM - PIN 682 016.

BY ADV. SRI.T.SANJAY, SC, BSNL

RESPONDENT(S)/APPLICANT IN THE O.A:

SOMASUNDARAN V.C.,
S/O.LATE K.A. CHANDRAN, SENIOR SECTION SUPERVISOR (OP),
CUSTOMER SERVICE CENTRE, BHARAT SANCHAR NIGAM LTD.
PEERUMADE - 685 531.

BY ADV. SRI.MILLU DANDAPANI

THIS OP (CAT) HAVING COME UP FOR ADMISSION ON 05-10-2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:

P.T.O.

**K. SURENDRA MOHAN
&
SHAJI P. CHALY, JJ.**

O.P. (CAT) No.152 of 2015

Dated this the 5th day of October, 2015

JUDGMENT

Surendra Mohan, J.

It is submitted by the learned counsel on both the sides that the Respondent has already joined duty without availing joining time pursuant to his transfer to Ernakulam from Peermade. The learned counsel for the petitioners submits that, the Respondent was not entitled to avail any joining time. Since the Central Administrative Tribunal has found that the Respondent was entitled to joining time, according to the learned counsel, the said finding requires to be vacated.

2. In the present case, the issue has already been resolved by the Respondent who has joined duty without availing any joining time. Therefore, the said question does not arise for determination any longer. For the above reason, we leave the question open to be decided in an appropriate case later. The grievance of the petitioner stands redressed,

with the Respondent joining duty at Ernakulam, without availing joining time. The Original Petition has therefore become infructuous.

This Original Petition is accordingly dismissed as infructuous.

Sd/-

**K. SURENDRA MOHAN
JUDGE**

Sd/-

**SHAJI P. CHALY
JUDGE**

//true copy//

P.S. to Judge

St/-

05.10.2015