

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2196 OF 2008**

Sangita Varma .. Petitioner.
vs.
Union of India and ors. .. Respondents.

Mr. Rahul G. Walia for the petitioner.
Ms Neeta Masurkar for respondent Nos.2 to 4.

**CORAM: D.H. WAGHELA, C.J. AND
M.S.SONAK, J.
DATE : 08 MARCH 2016.**

P.C.:

1] The main challenge in this petition is to the orders made by the Central Administrative Tribunal (CAT) on 1 October 2007 and 12 December 2007, *inter alia*, holding that it has no jurisdiction to entertain the petitioner's Original Application No.637 of 2003, as the main reliefs applied for are against Bharat Sanchar Nigam Limited (BSNL) and there is no Notification issued under Section 14(2) of the Administrative Tribunals Act, 1985 (said Act) in respect of the BSNL.

2] At this stage, it is not necessary to decide the question as to whether the CAT was right in declining to exercise jurisdiction. This is because by now, there is no dispute that by Notification No. P-13030/5/2008-AT dated 31 October 2008 issued in exercise of powers conferred by Section 14(2) of the said Act, the Central Government has specified 10th day of November

2008 as the date on and from which the provisions of sub-section (3) of Section 14 of the said Act shall apply to the organization mentioned in the Notification. At serial No. 154 in the Schedule appended to this Notification, there is clear reference to BSNL. Thus, at least as of now, there is no dispute that the CAT will have jurisdiction to entertain and decide the Original Application No. 637 of 2003 instituted by the petitioner.

3] In view of the aforesaid development, but without advertent to the merits of the matter, we set aside the impugned orders and restore the petitioner's Original Application No.637 of 2003 before the CAT, with request to dispose of the same within a period of three months from the date of production of authenticated copy of this order.

4] Parties to appear before the CAT on 22 March 2016 at 11.00 a.m. and produce authenticated copy of this order.

5] It is made clear that we have not adverted to merits of the matter and therefore, all contentions of all parties are kept open to be decided by the CAT on their own merits and in accordance with law.

6] Rule is made absolute in the aforesaid terms. There shall be no order as to costs.

7] All concerned to act on the basis of authenticated copy of this order.

CHIEF JUSTICE

(M.S.SONAK, J.)