



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.2422/2025

Bharat Sanchar Nigam Limited and others Vs. Smt. Geetabai Premdas Naranje

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Dr.R.S.Sundaram, Advocate for petitioners.

CORAM : NITIN W. SAMBRE & MRS. VRUSHALI V. JOSHI, JJ.
DATE : MAY 6, 2025.

1. Heard.
2. The challenge in the petition is to the order delivered by the Central Administrative Tribunal, Mumbai Bench, Mumbai in Original Application No.894/2022 decided on 15th December, 2022. Vide the said order, the widow of the deceased employee Premdas Naranje has been granted relief against the petitioners in regard to the claim for grant of family pension with a duration to decide the same in a time bound manner.
3. Paragraph no.2 of the order impugned reads thus:

"At this stage, since the case of the applicant is pending for grant of family pension for a long period, the OA is disposed of at admission stage directing the respondent No.3, General Manager, Bharat Sanchar Nigam Limited, Nagpur to consider the pending case of the applicant for grant of family pension as per the relevant applicable stipulations in the rules and binding instructions on the subject and decide it within a period of two months from the date of receipt of a certified copy of this order. Thereafter within a week, the decision should be communicated to the applicant. No costs."

4. It is the contention of Mr. Sundaram, learned Counsel appearing for the petitioners, that the service record of the deceased employee is not available. According to him, the Tribunal before passing the order impugned ought to have issued notice and heard the petitioners-Employer. As such the order directing the Employer to take decision is without affording an opportunity of hearing to it. He would further invite our attention to the pleadings in the Writ Petition, particularly paragraph no.3 so as to claim that the appointment of the deceased employee was claimed to be of the year 1972 and the BSNL was not in existence at the relevant time and as such, the Original Application is itself not maintainable.

5. We have considered the aforesaid submissions in the light of the pleadings in the Original Application No.894/2022 preferred by the respondent and the various documents which were produced before the Tribunal. At the outset, we must note that in support of the petition the affidavit sworn by the Assistant General Manager (BSNL) is placed on record. It is nowhere stated in the affidavit in support of the petition that the facts mentioned in the petition are borne out of the record of the petitioners.

6. Apart from above, the fact remains that what has been directed by the order impugned is to decide the pending case of the respondent for grant of family pension as per the relevant applicable stipulations in the Rules and binding instructions on the subject and decide it within a period two months from the date of receipt of certified copy of the order.

7. Along with the Original Application, the copy of which is very much available to the petitioners as the same perhaps was also served or part of the record of the petitioners, the appointment order and the absorption order issued by the Indian Post and Telegraph Department is placed on record. The

petitioners have chosen not to comment anything on the said appointment and absorption order.

8. As such, we see no reason to infer that the directions issued to the petitioners in paragraph no.2 of the order referred above can be said to be amounting to denying of the principles of natural justice as what has been directed to the petitioners is to decide the claim which otherwise they should have decided on its own merits.

9. That being so, no case is made out for causing interference. The Writ Petition fails and accordingly stands dismissed. No costs.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W.SAMBRE, J.)