



ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION

CHQ [Regd. No. T 1833/09]

Identified & Registered under 'Pensioners Portal'

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23-10--2025

To

The Secretary,
Department of Expenditure,
Ministry of Finance, Government of India,
New Delhi – 110001.

Respected Sir,

Subject: *Request for Reconsideration of the Department of Expenditure's Advice Restricting the Implementation of the N.K. Mishra Case to the Applicants Alone — In the Interest of Similarly Placed Employees*

We respectfully invite your kind attention to **Para 5 of the Department of Telecommunications Office Memorandum dated 07.10.2025** (File No. 37-18/2023-SEA-(Legal)), issued in accordance with the advice of the Department of Expenditure, whereby it has been decided that the benefit of the Hon'ble CAT Principal Bench order dated 21.03.2023 in **O.A. No. 2544/2015 – N.K. Mishra & Others v. Union of India** shall be confined only to the **14 original applicants**, and all other representations and PG cases on the subject shall be disposed of accordingly.

2. With due respect, the said advice has resulted in a **restricted implementation** that, in our respectful submission, runs contrary to the **principles laid down by the Hon'ble Supreme Court of India** in a series of judgments, The Apex Court has consistently held that *once a particular benefit is granted based on a judicial decision and the same issue has attained finality, all similarly placed employees are entitled to identical relief, even if they were not parties to the original case.*
3. The advice presently acted upon by the DoT effectively **denies equal treatment to identically placed employees/ex-employees**, who are governed by the same set of service and pension rules. Such a stance, apart from being contrary to the law declared by the Hon'ble Supreme Court under Article 141 of the Constitution.

4. We therefore earnestly request the **Department of Expenditure** to reconsider its earlier **advice** and issue a **clarificatory direction** permitting the Department of Telecommunications to extend the benefit of the **N.K. Mishra judgment** to all **similarly placed employees and pensioners** in the larger interests of fairness and justice.

Yours faithfully



(V Vara Prasad) 23/10

General Secretary