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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.3284 of 2002

New Delhi, this the 13th October, 2003

HON'BLE MR.KULDIP SINGH, MEMBER(JUDL)

Shri S.K. Nanda, IAS  
Special Secretary to Government of  
Haryana,  
Science and Technology Department,  
Room No.619, 6th Floor, Haryana Mini Secretariat,  
Sector-17,  
Chandigarh. ...Applicant

Applicant in person.

Versus

1. Union of India through  
Secretary to Government of India,  
Department of Personnel and Training,  
Ministry of Personnel,  
Public Grievances and Pensions,  
North Block,  
New Delhi.
2. State of Haryana through  
Chief Secretary to Government of  
Haryana,  
Haryana Civil Secretariat,  
Chandigarh. ...Respondents

(By Advocate: Shri R.P. Aggarwal, Counsel for respondent  
No.1.

Shri Sunder Khatar, Counsel for respondent  
No.2)

O R D E R

The applicant has filed OA to assail an order passed by respondents vide Annexure A-1 whereby his memorials against his adverse entries of ACRs have been returned in original treating the same as time barred and not entertainable.

2. The applicant is presently working as Special Secretary to Government of Haryana, Science and Technology Department, Chandigarh. The respondents have raised an objection that since the applicant is working at



Chandigarh so he should have filed his OA at Chandigarh and not at Delhi or else he should have filed a PT before filing the OA.

3. In reply to this applicant who appeared in person submitted that the present OA is only an extension of an earlier OA filed by the applicant wherein directions have been issued to consider his case for empanelment, and it is in those proceedings the applicant has been informed that since his ACRs were adverse so he could not be considered for empanelment. Thus the applicant submitted that since his case for expunging of adverse remarks in ACR is extension of the earlier case so this court has jurisdiction to try the OA.

4. In my view the plea taken by the applicant has no merits because the earlier OA had been filed for being considered for empanelment to a higher post which was to be done at Delhi by the Government of India whereas the subject matter of the present OA is about adverse entries recorded in ACR pertaining to the year 1981-82 and 1984-85 while he was working in the State Government of Haryana. For the purpose of territorial jurisdiction of Principal Bench, this OA has no nexus with the earlier OA filed by the applicant so I am of the considered opinion that the OA cannot be entertained at Delhi without obtaining an order on PT, since this Bench has no territorial jurisdiction to try the present OA same be returned to the applicant.

  
( KULDIP SINGH )  
MEMBER(JUDL)

/Rakesh