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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1047/2002

This the 5th day of February, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Keshav Kumar
S/o Shri Barsati Lal
R/o N.62/157, Patrachar Basti,
Lucknow Road, Timarpur,
New Delhi-110 054.

...Applicant

(By Advocate: Sh. Anuj Narain)

Versus

1. Union of India
Through Secretary
Ministry of Information and Broadcasting,
Shastri Bhawan
New Delhi.
2. Director General
All India Radio
Akashvani Bhawan,
Parliament Street
New Delhi-110 001.
3. Office of the Chief Engineer (North Zone)
Akashvani and Doordarshan
Shajahan Road,
New Delhi-110 011.
4. Deputy Director (Engineering)
All India Radio and Doordarshan
D-6, Godown
6, Probin Road (Mall Road)
New Delhi-110 054.
5. Central Advisory Board
Through its Member Secretary
4th Floor, Shram Shakti Bhawan
Rafi Marg,
New Delhi-110 001.
6. Labour Commissioner
Ministry of Labour
Shram Shakti Bhawan
Rafi Marg
New Delhi-110 001.
7. M/s G.T. Roadways (Labour Contractor)
CW-567, Sanjay Gandhi Transport Nagar,
Delhi-110042.

(By Advocate: Sh. R.P. Aggarwal)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

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In this OA applicant is claiming regularisation of his services. Sh. Aggarwal appearing for the respondents states that there is a preliminary objection that the OA is not maintainable. According to counsel for respondents, applicant claims that he was initially engaged through a Contractor and the Hon'ble Supreme Court has ruled that abolition of contract labour cannot have jurisdiction of this Tribunal. It has been so held by the Hon'ble Apex Court in Steel Authority of India vs. National Union Water Front Workers 2001 (7) JT 268.

2. I have considered this contention of the parties. Since the applicant in his OA admits that he was engaged initially through a Contractor, though the counsel for applicant has argued that contract entered into by Respondents and contractor is a sham one. But in view of the case of Steel of India's case (supra) this court cannot entertain the petition as the applicant is required to go ^{before the} appropriate forum of Industrial Adjudicator.

3. In view of this OA is not maintainable. OA is accordingly dismissed.


(KULDIP SINGH)
Member (J)

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