

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/61/2020

DATE OF ORDER: 28.01.2020

CORAM

HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER

Rahul Kumar Bhargav Son of Shri Mahavir Prasad Bhargav, aged about 25 years, By caste- Brahmin, Category EWS, R/o in front of Bhargav Samaj Temple, Vill-Nipaniya, Chabbra, Barren (Raj.). Grade-III, Group 'C', Mobile No. 9649442445.

....Applicant

Shri M.S. Raghav, counsel for applicant.

VERSUS

1. Union of India through Chairman, Government of India, Ministry of Railways, Railway Recruitment Control Board, New Delhi – 110001.
2. Railway Recruitment Board, Bhopal East Railway Colony (Near Bhopal Railway Station) Bhopal – 462010 through Asstt. Secretary.

....Respondents

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

- "1. That the respondents be directed to consider the suitability of applicant for the post of Staff Nurse in the EWS category and thereafter given him joining with all consequential benefits.
2. The impugned office orders dated 25.10.2019 may kindly be quashed and set aside and further direct the respondent to accord him permission to participate in the phases of selection process and thereafter reconstruct the merit/select list after inclusion the name of applicant therein, if he found place in merit under EWS category.

3. Any other direction and orders, which are deem proper in the facts and circumstances of the case may kindly be allowed to the applicants.
4. Cost of the O.A. may kindly be allowed to the applicant.”

2. Clause 19.04 of the Centralised Employment Notice No. 02/2019 (Annexure A/2), clearly stipulates that any legal issues arising out of the said employment notice shall fall within the legal jurisdiction of respective Central Administrative Tribunals under which the RRB chosen by the candidate is located.

3. Concededly, the Railway Recruitment Board chosen by the applicant is located at Bhopal.

4. Therefore, we are of the view that this Bench of the Tribunal has got no territorial jurisdiction to entertain the present Original Application in view of the order passed in the case of **Hariom Meena vs. West Central Railway & Ors.** (O.A. No. 291/547/2017 – decided on 03.01.2019) and the same is liable to be returned to the applicant.

5. Accordingly, the Registry is directed to return the present Original Application to applicant enabling him to present the same before the appropriate Bench of this Tribunal, if so advised. While returning the Original Application, a copy of the same shall be retained by the Registry.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER