

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1555/2001

New Delhi this the 3rd day of December, 2001

HON'BLE MR. V.K. MAJOTRA, MEMBER (A)

Km. Neelam Thakur,
D/o Late Shri Anant Mohan
R/o C/o Shri V.C. Gautam
1150 Multi Storey Building,
Timar Pur Delhi.

-Applicant

(By Advocate: Shri V.P.S. Tyagi)

Versus

1. Union of India (Through Secretary)
Min. of Personnel Public Grievance
& Pensions, New Delhi.
2. The Director General, Dte General,
Hqrs DGBR Kashmere House,
DHQ PO New Delhi
3. The Chief Engineer (Project)
Becan C/o 56 APO.
4. HQ 32 BRTF
C/o 56 APO.
5. The Commander
GREF Centre
Dighi Camp
Pune-15.

-Respondents

(By Advocate: Shri S.K. Gupta)

ORDER (Oral)

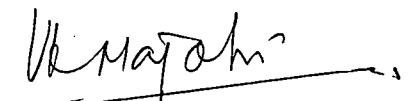
Learned counsel of both sides heard.

2. On the preliminary objection raised by the respondents that provisions of Administrative Tribunals Act are not applicable to any Member of the General Reserve Engineering Force (for short 'GREF'), the learned counsel of the respondents Shri S.K. Gupta basically relied on Shri Kunju Krishan Pillai Vs. Union of India and Others ATR 1986 (2) CAT 476 which is

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a decision of the Full Bench. He contended that relying on the ratio in the case of R. Viswan Vs. Union of India & Ors AIR 1983 SC 658, the Supreme Court had held that GREF is an integral part of Armed Forces and even if certain civilian rules such as COS(CCA) Rules are applicable to civilian employees of GREF in disciplinary matters, the provisions of AT Act are not applicable to them in service disputes. Without going into the details of this issue, Shri Tyagi, learned counsel of the applicant sought and was allowed to withdraw this OA with liberty to approach the Hon'ble High Court to seek redressal of applicant's grievances. Accordingly, this OA is dismissed as withdrawn with liberty.



(V.K. Majotra)
Member (A)

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