

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

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OA NO. 553/2001

This the 5th day of March, 2002

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HON'BLE SH. V.K.MAJOTRA, MEMBER (A)
HON'BLE SH. KULDIP SINGH, MEMBER (J)

Lekhu Ram
S/o Sh. Thakur Das
V.P.O. Chak Khandaawala,
Tehsil & Distt. Shri Ganganagar,
Via Udyog Vihar (Rajasthan).
(By Advocate: Sh. Jatendra Singh)

Versus

1. Union of India through
The General Manager,
Northern Railway,
Baroda House,
New Delhi-1.
2. Sr. D.P.O.,
Northern Railway,
Ambala Cantt.
Haryana.
3. Divisional Superintending Engineer (C)
Northern Railway,
Ambala.
(By Advocate: Sh. R.P. Aggarwal)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

Applicant has filed this OA seeking following
reliefs:-

(a) The respondent may kindly be directed to regularise
the applicant against the permanent post w.e.f.
20.3.1981.

(b) The respondent may be directed to provide seniority,
and back wages to the applicant.

(c) The respondent may be directed to provide promotion
to the applicant in grade 1200-2400 w.e.f. 13.12.90
which the junior most employees have got the benefit
of the same.

[Signature]

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(d) For issue any other suitable order in favour of the humble petitioner as deemed fit and proper this Hon'ble Court.

2. The case of the applicant is that juniors of the applicant have been promoted by Resp. No.2 and they have also been placed on seniority list superseding the petitioner in violation of the Article 14 and 16 of the Constitution of India. Applicant has also a grievance about inaction of Resp. No.2 in implementing the decision arrived at meeting held on 7th, 8th, May, 1987. The OA is being contested by the respondents and a preliminary objection has been taken by the respondents. Since the applicant has been absorbed in Ambala Division, if any grievance has arisen that has arisen within the territory of Amabala Division and this bench does not have territorial jurisdiction over the matter in issue. However, on going through the same, we find that applicant has relied on the judgment given by this Tribunal at New Delhi in 1992 (22) ATC 347 that this Tribunal has jurisdiction to consider this case. We have called for the judgment relied upon by the applicant and on going through the same we find that the case titled R.K.Vashisht, IPS vs. Union of India and others and the Tribunal in that case have observed that Bench in whose territory cause of action partly arise has the jurisdiction. In the said case the applicant was an IPS officer of Gujarat cadre and his dismissal order issued by Home Ministry, Delhi and cause of action purely arose in Delhi and on that basis the OA filed by the applicant in the said OA was entertained at Principal Bench of the CAT. Whereas in this case from the initial appointment though applicant was selected in Delhi but had been posted at Sriganganagar under Ferozpur Division and later has been transferred to Amabala Division. And for the



orders and action to be taken by Ambala Division, Chandigarh Bench of the CAT has the territorial jurisdiction over the same and this court does not have territorial jurisdiction. Applicant is at liberty to challenge the case before Chandigarh Bench of the CAT in accordance with law. OA stands disposed of.


(KULDIP SINGH)

Member (J)

'sd'


(V.K. MAJOTRA)

Member (A)