

(10)

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 606 of 1999

New Delhi, dated this the 21st day of December, 1999

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

Shri Hariender Singh,
S/o Shri Baljot Singh,
R/o E-35/A Rajiv Nagar,
Delhi-110041.

... Applicant

(By Advocate: Shri J.C. Madan)

Versus

1. Government of NCT through
Chief Secretary,
5, Sham Nath Marg,
Delhi.

2. Director General,
Home Guards,
CTI Complex,
Raja Garden,
New Delhi.

... Respondents

(By Advocate: Shri Rajendra Pandita)

ORDER

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

This O.A. had initially been filed by applicants S/Shri Vinod Kumar and Hariender Singh. Applicant Shri Vinod Kumar has since been permitted to withdraw from the O.A. vide Tribunal's order dated 2.7.99.

2. Applicant Hariender Singh who was appointed as a Home Guard on 15.11.87 impugns respondents' orders disengaging him. He seeks grant of temporary status followed by regularisation.

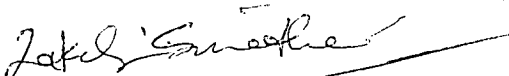
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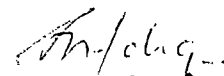
3. Heard both sides.

4. Respondents' counsel challenges the OA on grounds of limitation as well as lack of jurisdiction. As regards lack of jurisdiction, he relies on the Hon'ble Supreme Court's order dated 28.2.95 dismissing SLP No.4550/96 against the CAT Chandigarh Bench's order dated 31.1.95 in OA No.1013/CH/88 and directing that the representation must be made to Govt. and not to the Court.

5. The Delhi High Court in its order dated 26.5.99 in CLP No.4286/97 MSL Rawal & Ors. Vs. UOI & Ors. has similarly dismissed the challenge to order dated 21.3.97 passed by the CAT, Principal Bench disposing of several OAs. In that order dated 26.5.99 the Delhi High Court has relied upon certain Hon'ble Supreme Court's rulings. It has however nowhere concluded that the Tribunal has no jurisdiction to entertain such OAs.

6. We are satisfied that the applicants in the present OA is similarly placed as those covered by the Delhi High Court's aforesaid orders dated 26.5.99, and under the circumstance, this OA is disposed of in terms of the aforesaid order dated 26.5.99. No costs.


(MRS. LAKSHMI SWAMINATHAN)
MEMBER (J)


(S. R. ADIGE)
VICE CHAIRMAN (A).

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