

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A.NO.1145 of 1998

Date of Decision 13.5.99

Sh. Rameshwar Prasad Applicant(s)
2025.

(22)

Mrs Rani Chhabra with Advocate for the Applicant(s)
Ms. Richa Goel.

Versus

UDT & others. Respondent(s)

Shri M. R. Krishna Advocate for the Respondent(s)

C O R A M: (Single/Division)

Hon'ble Shri R.K. Ahuja Member (A)

Hon'ble Shri —

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes/No
2. To be referred to the Reporter or not? Yes/No

R.K. Ahuja
(R.K. AHOOJA)
Member (A)

Central Administrative Tribunal
Principal Bench

O.A. No. 1145/98

Hon'ble Shri R.K. Ahooja, Member(A)

New Delhi, this the 13th day of May, 1999

(23)

1. Rameshwar Prasad
s/o Mukund Ram
FOI Bhatt Milap Nagar
Village Dhanderi
Roorkee.

2. Zakir Hussain
s/o Abdul Hamid
Village Dhanderi
Roorkee.

... Applicants

(By Mrs. Rani Chhabra with Ms. Richa Goel, Advocates)

Vs.

1. Union of India through
Ministry of Defence
through its Secretary
South Block
New Delhi - 110 001.

2. The Manager
Bengal Engineer Group & Centre
Roorkee.

3. The Administrative Officer
Station Head Quarter
Bengal Engineer Group & Centre
Roorkee.

4. The Manager
Supper Bakery
Combat Instruction Field Workshop
Bengal Engineer Group & Centre
Roorkee.

... Respondents

(By Shri V.S.R. Krishna, Advocate)

O R D E R (Oral)

Applicant No.1 and 2, claim that they were engaged in July, 1975 and December, 1985 respectively on the muster roll by the respondents. Their grievance is that despite long services rendered by them they have not been considered by the respondents for grant of temporary status and for regularisation.

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2. The respondents have raised a preliminary objection that the applicants are paid salaries from the regimental fund. Since the submissions of the respondents regarding the source from which the payments have been paid to the applicant is not denied, I find that the present OA is not maintainable in terms of Supreme Court's Judgment in Union of India Vs. Chotelal, JT 1998(8) SC 497 wherein it was held that Dhobis at National Defence Academy being paid monthly salary from regimental fund do not hold any civil post and hence Tribunal has no jurisdiction to go into their service conditions. The OA is therefore dismissed as not maintainable.

(2A)

Rleakay
(R. K. Ahuja)
Member(A)

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