

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 239/1997

Thursday, this the 30th January, 1997.

HON'BLE SHRI JUSTICE B. C. SAKSENA, ACTING CHAIRMAN
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Shri T. D. S. Tulsiani,
S/O Late Shri S. D. Tulsiani,
R/O 465 Sector-17,
Faridabad, Haryana.

... Applicant

(By Shri Sohan Lal, Advocate)

-Versus-

1. Union of India through
Secretary, Ministry of
Urban Development,
Government of India,
Nirman Bhawan, New Delhi.

2. Director-General of Works,
Central Public Works Department,
Nirman Bhawan,
New Delhi.

... Respondents

O R D E R (ORAL)

Shri Justice B. C. Saksena —

We have heard the learned counsel for applicant. A memorandum dated 16.5.1995 issued by the Delhi Development Authority (Vigilance Branch) has been challenged and the applicant seeks quashing of the same. Besides the said relief, applicant also seeks a direction to be issued to respondents not to initiate any disciplinary proceedings against him on the basis of the said memorandum dated 16.5.1995 either for major penalty or for minor penalty. The Executive Engineer, C.P.W.D. (Vigilance Unit) through Annexure-A dated 7.6.1995 has already indicated to applicant that he may send reply of the memo directly to the Delhi Development Authority under intimation

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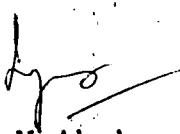
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(3)

to his office. We are, therefore, not satisfied that respondents are presently taking any action against ^{the} applicant. In view of the relief claimed by applicant, the Delhi Development Authority is a necessary party. Applicant has ingeniously not impleaded the Authority as a party. Since the issues raised in the O.A. directly relate to the Delhi Development Authority's competence, and since the said Authority does not fall within our jurisdiction, the O.A., according to our considered opinion, is not maintainable. It would be open to applicant to approach the proper forum to seek redressal.

2. The Original Application is accordingly dismissed summarily as not maintainable.

Dated, the 30th January, 1997.


(K. Muthukumar)
Member (A)


(B. C. Saksena)
Acting Chairman

/ as/