

Central Administrative Tribunal
Principal Bench: New Delhi

18

OA No. 2886/97

New Delhi this the 4th day of May 2000

Hon'ble Smt. Lakshmi Swaminathan, Member (J)
Hon'ble Mr. V.K. Majotra, Member (A)

1. M. Eswara Rao,
S/o M Gopala Rao
Highly skilled Grade II Fitter/
Electric Loco Shed/
Waltair/S.E. Railway
2. S. Joji Babu,
S/o S. Marian
Highly skilled Grade II Fitter/
Electric Loco Shed/
Waltair/S.E. Railway
3. B.V. Ramana Murthy
S/o B.H.S. Rao
Highly skilled Grade II Fitter/
Electric Loco Shed/
Waltair/S.E. Railway
4. A. Krishna Rao,
S/o A.V.R. Murthy
Highly skilled Grade II Fitter/
Sr. DEE's office/S.E. Railway
D.No. 5-10-1, Santosh Nagar
Nagendra Colony, Gopalapatnam
Vishakhapatnam.

...Applicants

(By Advocate: Shri Anis Suhrawardy)

Versus

1. Union of India
through the Chairman
Railway Board
Rail Bhawan, New Delhi.
2. The General Manager
South Eastern Railway
Garden Reach
Calcutta.
3. The Chief Personnel Officer
South Eastern Railway
Garden Reach, Calcutta.
4. The Divisional Railway Manager
South Eastern Railway
Waltair Division, Andhra Pradesh.
5. The Senior Divisional Electrical Engineer
TRS/South Eastern Railway
Electric Loco Shed
(Marripalem PO NAD
Waltair Division,
Visakhapatnam, Andhra Pradesh.

6. Shri N. Mohan Rao
 Ex. Senior Divisional
 Electrical Engineer (TRS)
 South Eastern Railway
 Plot No. 10
 Simhapuri Vuda Layout
 Vepagunta (PO)
 Visakhapatnam.

7. South Eastern Railway Men's Congress
 through Shri Ch. Sesibhushan Rao
 President/SERMC,
 Garden Reach, Calcutta-700043.

8. Shri K.S. Murthy
 Secretary
 South Eastern Railway Men's Congress
 Garden Reach, Calcutta-700043.

9. Shri R.T. Vizian
 S/o Shri R.T. Kuttani
 Highly skilled Fitter Grade II
 C/o Sr. DEE/TRS/South Eastern Railway
 Waltair Division, Electric Loco Shed
 Marripalem, PO NAD
 Vishakhapatnam, Andhra Pradesh.

10. Smt. A. Tirumala Devi
 D/o A. Radhakrishna
 Highly Skilled Fitter Grade II
 C/o Sr. DEE/TRS/South Eastern Railway
 Waltair Division
 Electric Loco Shed
 Marripalem, PO NAD
 Vishakhapatnam, Andhra Pradesh.

11. Shri D.V. Rao
 S/o D. Suryanarayana
 Highly Skilled Fitter Grade III
 C/o Senior DEE/TRS/South Eastern Railway
 Waltair Division,
 Electric Loco Shed, Marripalem,
 PO NAD Visakhapatnam, Andhra Pradesh

... Respondents
 (By Advocate: Shri P.S. Mahendru)

ORDER (Oral)

Smt. Lakshmi Swaminathan, Member (J)

It is seen from the pleadings in this case that the applicants are employed with the South Eastern Railway at Waltair, and their main reliefs prayed for ^{are also} against the respondents ^{who} are either at Calcutta or at Vishakhapatnam, Andhra Pradesh.

✓

20

.3.

2. Respondents in their reply have submitted that the impugned order dated 24.9.97 (Annexure A-1) has been passed by D.R.M., Waltair in compliance of the judgment/order of the Tribunal (Hyderabad Bench) dated 11.10.96 (OA No. 1231/96/O.A. Sr. No. 2543/96) filed by the same applicants against Union of India through General Manager, South Eastern Railways, Calcutta and others. They have also correctly taken the objection that the Principal Bench of the Central Administrative Tribunal has no territorial jurisdiction in this matter.

3. In the above circumstances, ~~as~~¹⁸ the OA is not maintainable in the Principal Bench for lack of jurisdiction, having regard to the provisions of Sections 14 and 19 of the Administrative Tribunal's Act read with Rule-6 of the Central Administrative Tribunal Procedure (Rules) 1987.

4. In the circumstances, OA is returned to the learned counsel for the applicants to pursue his remedy in the appropriate forum. Registry may, however, retain one set of the documents for record purposes.

5. O.A. is accordingly disposed of as above. No order as to costs.

V.K. Majotra
(V.K. Majotra)
Member (A)

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

.cc.