

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

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PT-225/94 in

OA /~~XX/XX/XX~~ No. 787/94 19

J. P. Tripathi

APPLICANT (S)

Shri Sanjay Parikh

COUNSEL

VERSUS

Union of India

RESPONDENT (S)

Shri H. K. Ganguani

COUNSEL

Date	Office Report	PT-225/94	Orders
		<p style="text-align: center;"><u>25.11.1994</u></p> <p>Present : Shri Sanjay Parikh, counsel for the applicant.</p> <p>Shri H. K. Ganguani, counsel for the respondents.</p> <p>Learned counsel for the respondents has pointed out that copy of the application has not been served upon him. Learned counsel for the applicant states that he will give the copy during the course of the day.</p> <p>Ld. counsel for the respondents prays for four weeks' time to obtain instructions. Three weeks' time is allowed.</p> <p>List on 6.1.1995.</p> <p style="text-align: right;">(S. C. Mathur) Chairman</p> <p style="text-align: center;"><u>6.1.1995</u></p> <p>Present : Shri Sanjay Parikh, counsel for the applicant.</p> <p>Shri D. S. Mahendru for Shri P. S. Mahendru, counsel for the respondents.</p> <p>The applicant seeks retention of his O.A. at the Principal Bench.</p> <p>Under Rule 6 of the C.A.T.(Procedure) Rules, 1987, the place of filing an original application has been prescribed. There are</p>	
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			<p>two places prescribed - (1) where the applicant is posted for the time being; and (2) where the cause of action wholly or in part, arises. Admittedly, the applicant is posted at Agra. Domestic enquiry was held and an order of punishment was passed at Jhansi. It was only the Allahabad Bench which had jurisdiction to entertain the present O.A. In paragraph 2 of the application, the applicant has not stated that he was posted at any place which fell within the jurisdiction of the Principal Bench, or that any part of the cause of action arose at a place which fell within the jurisdiction of the Principal Bench. Jurisdiction was claimed on the basis that the applicant's services could be utilized anywhere between Tughlakabad and Morena. This is wholly irrelevant. Accordingly, the O.A. was filed before this Bench although it had no jurisdiction to entertain the same.</p> <p>Now in the present application for retention, the only ground mentioned is that the applicant has to work between Tughlakabad and Morena and most of the time he has to remain at Tughlakabad which falls within the jurisdiction of the Principal Bench. This temporary stay at Tughlakabad in connection with his official duties, will not be sufficient ground to direct retention of the O.A. at the Principal Bench.</p>

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	<p data-bbox="203 282 243 336">P</p> <p data-bbox="300 658 381 712">/as/</p>		<p data-bbox="609 309 1485 497">In view of the above, the application is rejected. Let the O.A. be returned to the applicant for filing at the appropriate place.</p> <p data-bbox="1177 631 1485 712">(S. C. Mathur) Chairman</p>