

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 1735/94

(3)

New Delhi this the 28th Day of September, 1994

Hon'ble Shri J.P. Sharma, Member (J)
Hon'ble Shri B.K. Singh, Member (A)

Shri Roop Lal Sharma,
S/o Late Shri Girdhari Lal,
Resident of 944 - Sector 7,
Pushp Vihar, New Delhi-110 017. ... Applicant

(By Advocate: Shri T.C. Aggarwal)

Vs.

1. Director General - BR (EG 2)
Kashmere House,
DHQ Post Office,
New Delhi-110 011.

2. OIC 'GREF' Records,
Dighi Camp,
Pune-15.

3. Controller of Accounts,
Ministry of Power, Sewa Bhavan,
R.K. Puram,
New Delhi.

... Respondents

(By Advocate: Shri E.X. Joseph)

ORDER (Oral)

Hon'ble Shri J.P. Sharma, Member (J)

The applicant is aggrieved by the posting order dated 10.8.1994 issued by the Record Office, GREF, Dighi Camp, Pune, posting the applicant to 1579 Pnr Coy (P) Beacon (Jammu Tawai). Shri E.X. Joseph on notice appeared on behalf of the respondents and states that the matter does not lie within the jurisdiction of the Central Administrative Tribunal by virtue of Section 2 of the Administrative Tribunal Act, 1985. GREF is a Unit of Armed Forces of India. The matter of GREF has been considered in the case of R. Visvan vs. Union of India, AIR 1983 SC P 658.

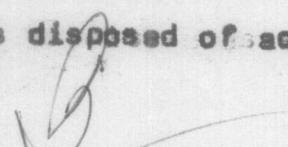
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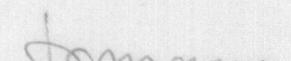
2. The Hon'ble Supreme Court has considered the matter. The Full Bench of the Central Administrative Tribunal has also considered the matter in the case of Kunjukrishnan Pillay Vs. Union of India reported in 1986(3) SLJ CAT P. 145. The matter of A.R. Padmanabha Sharma Vs. Union of India and others Full Bench decision Vol. II decided by Bangalore Bench in OA No. 1111/89 on 7.1.1991

3. The applicant's counsel could not show any law on the point that the CAT has jurisdiction in the matter. The Principal Bench has also the occasion to consider this matter in OA No. 2661/93 OM Parkash Vs. Director General Border Roads decided on 22.4.1994 held that the Tribunal has no jurisdiction. In that case the other cases has also been stated by the Tribunal A.P. Singh Vs. Union of India reported in 1991(1) SLJ CAT p.137 and Kunjukrishnan Pillay Vs. Union of India reported in 1986(3) SLJ CAT P 145.

4. In view of the above it is held that the Tribunal has no jurisdiction in the matter. The O.A., therefore, is not maintainable before the C.A.T., and the applicant is free to withdraw the application to assail his grievances before the Competent Court.

O.A. is disposed of accordingly.


(B.K. Singh)
Member(A)


(J.P. Sharma)
Member(J)