

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 201/2000

New Delhi this the 20th day of September, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI M. P. SINGH, MEMBER (A)

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Harsh Vardhan Agarwal
S/o Shri R.K. Agarwal
R/o 550, Sahukara
Bareilly.

... Applicant

(Applicant in person.)

-versus-

1. The Director General
Indian Council of Medical Research
Post Box- 4508, Ansari Nagar
New Delhi-110029.
2. The Director
Malaria Research Centre
22, Sham Nath Marg
New Delhi-110054.
3. The Director
Regional Medical Research Centre
Farzand Ali Market
Aberdeen Bazar
Port Blair (A&N)-744101.

... Respondents

(By Advocate Shri V.K. Rao)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

By an order passed on 11.11.1986, applicant who was holding the post of Assistant Research Officer (in the pay scale of Rs. 650-960 revised to Rs.2000-3200 with effect from 1.1.1986) was reverted to the post of Research Assistant in the pay scale of Rs.1400-2300 on 31.3.1987 where he worked upto November 1993. By an order passed by the Labour Court in ID cases No.3/87 and 9/92, he was granted the higher scale of Rs.2000-3200 with effect from 31.3.1987. During his posting at Port Blair, applicant had claimed LTC/Home Town TA Bills and he was paid the same on the basis of

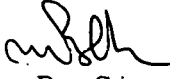
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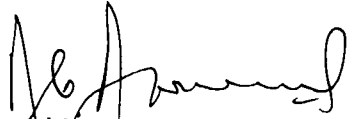
his lower pay scale of Rs.1400-2300. Since the applicant, in terms of the orders passed by the Labour Court had been granted the higher scale of Rs.2000-3200, he claims grant of LTC/TA Bills on the basis of that scale.

2. Shri V. K. Rao, the learned counsel appearing on behalf of the respondents, has submitted that the Principal Bench of the Tribunal has no jurisdiction to entertain and try the aforesaid claim raised in the present OA as the same pertains to payment of LTC/TA Bills during the tenure of the applicant at Port Blair. The cause of action has, therefore, arisen within the territorial jurisdiction of the Calcutta Bench of the Tribunal. As far as the applicant is concerned, he is the resident of Bareilly and presently employed at Shajahanpur (U.P.) which are within the territorial jurisdiction of Allahabad Bench of the Tribunal. As far as the cause of action is concerned, the same has arisen within the territorial jurisdiction of the Calcutta Bench of the Tribunal. In the circumstances, we find that the objection raised by Shri Rao is fully justified.

3. In the circumstances, the present OA is returned to the applicant for presentation before the appropriate forum.


(M. P. Singh)
Member (A)

sns


(Ashok Agarwal)
Chairman