

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 2374/2000  
MA 238/2003

New Delhi, this the 5th day of February, 2003

Hon'ble Sh. Shanker Raju, Member (J)

Udai Vir Singh  
S/o Sh. Gopi Singh  
F-108, Sewa Nagar  
New Delhi.

(None present)

...Applicant

V E R S U S

1. Govt. of NCT of Delhi  
through the Chief Secretary  
Govt. of NCT of Delhi  
5, Sham Nath Marg, Delhi.
2. The Directorate General  
Home Guards & Civil Defence  
Nishkam Sewa Bhawan, Raja Garden  
Delhi.
3. The Commandant  
Home Guards, Delhi  
CTI Building  
Raja Garden, Delhi.

...Respondents

(By Advocate Sh. Vijay Pandita)

O R D E R (ORAL)

By Sh. Shanker Raju,

Sh. Vijay Pandita, counsel for the respondents seeks revival of the OA as the same has been kept in abeyance pending decision as to the jurisdiction of this Court pertaining to the matters of Homeguards.

2. It is contended that High Court of Delhi in CWP 4388/2001 in Rajesh Mishra & Ors. vs. Govt. of NCT of Delhi decided on 29-4-2002, Homeguards have been held not to be the civil servants and this Tribunal has no jurisdiction to entertain their grievance under Section 19 of the Administrative Tribunals Act, 1985.

(P)

3. In this view of the matter MA 238/2003 is allowed. OA is revived.

4. None present for the applicant and I do not deem it necessary to issue further notices to the applicant as in view of the decision of the High Court in Rajesh Mishra's case (supra), as this Tribunal has no jurisdiction to deal with the grievances of Homeguards not being a civil servant. In so far as the present OA is concerned, the same is not amenable to our jurisdiction and is accordingly dismissed. No costs.

5. However, it goes without saying that the applicant is at liberty to redress his grievance before the appropriate forum in accordance with law.

S. Raju

(SHANKER RAJU)  
MEMBER (J)

/vksn/