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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 441
T.A. No.

1988.

DATE OF DECISION March 18, 1988.

Shri N.K. Sharma, Petitioner

Applicant in person. ~~XXXXXXXXXXXXXXXXXXXXX~~
~~Advocate for the Petitioner(s)~~

Versus

Delhi Administration & Ors. Respondent s.


None. Advocate for the Respondent(s)

CORAM :

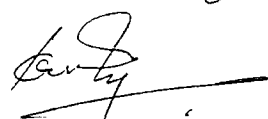
The Hon'ble Mr. Justice K. Madhava Reddy, Chairman.

The Hon'ble Mr. Kaushal Kumar, Member.

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ? Yes
3. Whether their Lordships wish to see the fair copy of the Judgement ? No
4. Whether to be circulated to other Benches ? No


(Kaushal Kumar)
Member

18.3.1988.


(K. Madhava Reddy)
Chairman

18.3.1988.

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

REGN. NO. OA 441/88

Dated: 18.3.1988

Shri N. K. Sharma

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Applicant

Vs.

Delhi Administration &
others

.....

Respondents

Coram: Hon'ble Mr. Justice K. Madhava Reddy, Chairman
Hon'ble Mr. Kaushal Kumar, Member.

Applicant in person.

This is an application under Section 19 of the Administrative Tribunals Act, 1985 (for short, hereinafter referred to 'the Act') by a Stenographer of the District & Sessions Judge, Delhi, which is a court subordinate to the Delhi High Court. In this application he calls in question the order of dismissal from service. His grievance undoubtedly relates to a service matter and was within the jurisdiction of the Central Administrative Tribunal prior to the amendment of Section 2(c) of the Act by the Administrative Tribunals (Amendment) Act, 1987 (No.51 of 1987). However, Section 2(c) of the Act as amended lays down that the Act shall not apply to "any officer or servant of the Supreme Court or of any High Court or courts subordinate thereto". The District and Sessions Court is a court subordinate to the Delhi High Court and the applicant appointed as Stenographer in the said court is a servant of the court subordinate to the High Court within the meaning of Section 2(c) of the Act as amended by the Administrative Tribunals (Amendment) Act, 1987. This Tribunal has, therefore, no jurisdiction to entertain this application. This application having been filed on 14.3.1988 cannot be deemed to be a matter pending before the Tribunal as

envisaged by sub-section(6) of Section 29 of the Act. Therefore, the question of transferring this application to the appropriate court does not arise. As this Tribunal has no jurisdiction to entertain this application, the same shall have to be returned to the applicant for presentation to the appropriate court. Ordered accordingly.

There shall be no order as to costs.


(KAUSHAL KUMAR)
MEMBER


(K. MADHAVA REDDY)
CHAIRMAN

18.3.1988