

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.1362/90

Date of decision: 28.05.93.

Shri Rajender Singh

...Petitioner

Versus

Union of India & Ors.

...Respondents

Coram: The Hon'ble Mr. I.K. Rasgotra, Member (A)
The Hon'ble Mr. J.P. Sharma, Member (J)

For the petitioner

None.

Judgement(Oral)
(Hon'ble Mr. I.K. Rasgotra)

Vide our order dated 26.3.93 MP No.766/92 was dismissed in default. In fact this MP had earlier been disposed of on 22.4.1992. The order dated 26.3.1993 is, therefore, recalled. None appears for the petitioner even today. We have perused the records of the case and find that at the time of institution of the O.A. the learned counsel for the petitioner was given time to ascertain the legal status and constitution of the National Productivity Council with a view to determine the jurisdiction of the Tribunal. On 24.9.90 when the case came up again the learned counsel for the petitioner Shri Sunil Malhotra sought adjournment and the case was listed for 11.9.90. None appeared for the petitioner on 11.9.90 and the case was adjourned to 26.11.90. The case was dismissed in default on 26.11.90. Thereafter the notices were issued. The case was again dismissed in default on 19.9.92 and was restored on 22.4.92. Due to the ambiguity in the order dated 22.4.92 the MP-766/92 was dismissed in default when the case last came up on 26.3.93. It appears from the perusal of the ordersheets that at no stage the petitioner had clarified the status and the constitution of Respondent No.2 viz. National Productivity Council, against whom the relief is prayed.

d
2

15

2. In the above circumstances when the petitioner has not produced any information in regard to the National Productivity Council we are of the opinion that this matter need not be retained in the Tribunal, as in absence of any information to the contrary our understanding is that the National Productivity Council an autonomous body and not a department of the Government of India. It is not one of the organisations notified under Section 14 of the Administrative Tribunals Act, 1985. We are, therefore, inclined to take the view that the Tribunal has no jurisdiction to entertain this O.A. The Registry is accordingly directed to return the O.A. to the learned counsel for the petitioner.


(J.P. Sharma)

Member (J)

San.


(I.K. Rasgutra)

Member (A)