

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA No. 2549/90

New Delhi, this the 18th day of May 1995

Hon'ble Shri N.V.Krishnan, Vice-Chairman(A)
Dr. A.Vedavalli, Member (J)

Shri Vinay Kumar
S/o Shri Jaipal Singh,
No.1 New Arya Nagar,
Jail Road, Meerut,
Distt: Meerut

.....Applicant

(By Advocate Shri B.S.Mor)

Versus

1. U.O.I. through Secretary,
Ministry of Industries,
Udyog Bhawan, New Delhi.
2. Development Commissioner,
7th Floor, Nirman Bhawan,
Maulana Azad Road, New Delhi.
3. Deputy Director (Incharge Process-cum-
Product Development Centre),
Sports Goods Complex, Delhi Road,
Distt Meerut.
4. Shri Maghvendar Sharma,
(Senior Technical Assistant)
(Wood Working) Process-cum-Production
Development Centre, Sports Goods Complex,
Delhi Road, Meerut.

(By Advocate: Sh. M.K.Gupta)

....Respondents.

ORDER (Oral)

Hon'ble Shri N.V.Krishnan, Vice-Chairman(A)

The applicant has filed this OA to quash the sanction given on 12-9-89 (Annexure A-4) and the order dated 18-9-89 passed by the 3rd respondent offering the appointment to Respondent No-4(Annexure-5). The application was admitted on 7-12-90.

(S)

2. On notice, the respondents filed a reply stating that this Tribunal has no jurisdiction in this case for the impugned order has been issued by the Govt. of India Process-cum-Product Development Centre for Sports Goods and Leisure Time Equipment which is a society registered under the Society Act 1860 as evidenced by Annexure A-1 and the Memorandum of Associated at Annexure-2, and no jurisdiction has been conferred under section 14 of the AT Act.

3. When the matter came up for final hearing yesterday learned counsel for the respondents Mr. M.K.Gupta contended that on this ground, this application is not maintainable.

4. We have heard today learned counsel for the applicant. He argued that the Annexure-4 sanction has been issued by the Director SSI Board who is the Development Commissioner i.e. Respondent No-2, a Government authority. We are enable to agree. The Annexure-4 sanction has been issued by that functionary as the Chairman of the Governing Council of that body, which is a registered society. We are not in a position to accept.

5. The application was admitted, without notice to the respondents and without considering the aspect of the matter. The OA came up for final hearing only yesterday.

6. The objection raised is valid and notwithstanding the admission, We have no jurisdiction, as no notification under Section-14 has been issued conferring on this Tribunal jurisdiction over this body.

7. Therefore this application is not maintainable. We direct the Registry to return one copy of the application to the applicant for presentation before the proper forum. OA disposed of accordingly.

A. Vedavalli
(Dr. A. Vedavalli)
Member(J)

N. V. Krishnan
(N. V. Krishnan)
Vice-Chairman(A)