

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**NEW DELHI**

OA/TAR/XXX No. 2713, 19<sup>90</sup>  
 S/Shri D.S. & P.S. Mahendru  
 Shri D.K. Gunjal L.R. Goel, M.K. Gupta & S.C. Gupta  
**APPLICANT(S)** **COUNSEL**

U.O.I. & Ors.

**VERSUS**

**RESPONDENT(S)**

**COUNSEL**

Date	Office Report	Orders
		<p style="text-align: center;">15.1.1991</p> <p>Applicant through Shri S.C. Gupta, Sr. Counsel with S/Shri L.R. Goel &amp; M.K. Gupta, Advocates.</p> <p>We have heard the learned counsel of the applicant. The grievance of the applicant relates to benefits claimed by him on immediate absorption basis in the National Buildings Construction Corporation Limited. These benefits have been denied to him in view of the decision taken by the Deptt. of Personnel &amp; Training.</p> <p>2. Before the absorption of the applicant in NBCC, the applicant was working as Brigadier in the Ministry of Defence. Section 2 of the Administrative Tribunals Act, 1985, provides, inter alia, that the provisions of that Act shall not apply to any member of the armed forces of the Union. In view of this provision, we feel that the Tribunal is not the appropriate forum for adjudicating upon the issues involved in the present petition, even though the relief claimed is against the decision taken by the Department of Personnel &amp; Training. Accordingly, we dispose of the present application with the observation that the applicant will be at liberty to present the case before the Delhi High Court or any other appropriate legal forum.</p>

Issue date: \_\_\_\_\_

PTO.

(4)

Date	Office Report	Orders
		<p>Issue dasti.</p> <p><i>Dickbans</i> <i>Omurb</i></p> <p>( D.K.CHAKRAVORTY ) MEMBER (A)</p> <p>( P.K.KARTHA ) VICE CHAIRMAN</p>