

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

O.A. No. 303/90
T.A. No.

199

DATE OF DECISION 17.07.1990.

<u>Shri M.M. Mathur</u>	Petitioner
<u>In person</u>	Advocate for the Petitioner(s)
Versus	
<u>Union of India</u>	Respondent
<u>Shri P.P. Khurana</u>	Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN(J)

The Hon'ble Mr. D.K. CHAKRAVORTY, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Mr. P.K. Kartha,
Vice Chairman(J))

Heard the applicant in person and the learned counsel for the respondents. The grievance of the applicant is that he was not given the pay scale of Rs.1800-2250(pre-revised) attached to the post of Resident Director, Trade Development Authority, Tokyo, held by him in Tokyo from 21st August, 1983 to 28th August, 1987. The applicant is an officer of the Central Government and the pay scale claimed relates to a period when he was on deputation to Trade Development Authority. In case the applicant succeeds in the present application, it is the Trade Development Authority which has to implement the order of the Tribunal.

2. The Trade Development Authority is a Society registered under the Societies Registration Act, 1860. It is not one of


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the societies which have been notified under Section 14(2) of the Administrative Tribunals Act, 1985.

3. The applicant states that the Trade Development Authority, though a Society, is receiving all funds from the Government of India and as such, the application is maintainable in view of the provisions of Section 14(1) of the Administrative Tribunals Act, 1985. As against this, the learned counsel of the respondents states that in the absence of a notification under Clause (2) of Section 14 of the said Act, this Tribunal has no jurisdiction to entertain the application and to issue any direction to the Trade Development Authority as has been prayed for in the present application.

4. Having considered the rival contentions, we are inclined to agree with the contention of the respondents. In the absence of any notification issued by the Central Government under Section 14(2) of the Administrative Tribunals Act, 1985, bringing the Trade Development Authority within the jurisdiction of this Tribunal, we are of the view that the present application is not maintainable for want of jurisdiction. The applicant will, however, be at liberty to move appropriate legal forum and seek redressal of his grievances. The application is dismissed with the above said observations.

There will be no order as to costs.


(D.K. CHAKRAVORTY)
MEMBER (A)


(P.K. KARTHA)
VICE CHAIRMAN (J)