

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

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DA NO.134/91

DATE OF DECISION 24.9.91.

Shri V.Rijhwani	-	Applicant.
Shri D.P. Avinashi	-	Advocate for the applicant.
Verses		
Union of India & Ors	-	Respondents.
Shri P.P. Khurana	-	Advocate for Respondent Nos. 1 to 4.
Shri Shyam Babu	-	Advocate for Respondent Nos. 5 & 6.

CORAM

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

The Hon'ble Mr. B.N. DHOUNDIYAL, MEMBER(A)

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*

(JUDGEMENT)

(of the Bench deliberated by Hon'ble Member(A) Shri B.N. DHOUNDIYAL)

The applicant had been working under the Overseas Communication Service of India, Ministry of Communication before the Videsh Sanchar Nigam came into existence on 1.4.1986 and the entire staff was transferred to that Organisation. The applicant was absorbed by the Nigam on 2.1.1990. He has filed this application under Section-19 of the Administrative Tribunals Act, 1985, aggrieved by the Order dated 15.10.90, cancelling the allotment of the Quarter No.D-624, Sarojini Nagar, New Delhi. His contention is that he is entitled to allotment of such quarter from the general pool under the Central Government.

2. There is a direct Judgement on the point, a copy of which was filed by the learned counsel for the respondents in DA No.1713/87, decided by Court No.3, Central Administrative Tribunal, Principal Bench, New Delhi on 13.5.1991. In that case the Tribunal declined to adjudicate on the matter for lack of jurisdiction. There is

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another order passed in OA.74/91 on 30.2.1991 by the Central Administrative Tribunal, Principal Bench, New Delhi, in which it has been held that the relief sought in that application was against Videsh Sanchar Nigam Limited which is a Public Sector Company and no notification has been issued under Section 14(2) of the Administrative Tribunals' Act, 1985 under which this Tribunal will have jurisdiction over the said Company. In that case, the Hon'ble Bench held that the Tribunal has no jurisdiction in the matter.

3. We find that the present case is also covered by both the above judgements.

4. In view of this, we find that the present application in the present form is not maintainable and, therefore, the same is dismissed, leaving the parties to bear their own costs. The interim order <sup>passed by</sup> passed, stands vacated.

*B.N. Dhoundiyal*  
(B.N. DHOUNDIYAL) 24/9/91  
MEMBER(A)

*P.K. Kartha*  
(P.K. KARTHA) 24/9/91  
Vice-Chairman(J)