

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
NEW DELHI

O.A. No. 908 of 1991 New Delhi, dated the 11th August, 1995

HON'BLE MR. S.R. ADIGE, MEMBER (A)

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

All India Railways Ministerial Staff Assn.,
C-16/2, Railway Colony, Lajpat Nagar,
New Delhi-110024.

2. Shri Shaikat Ali,
S/o late Shri Akhlaque Ahmed
C/o All India Railway Ministerial Staff Assn.,
C-16/2, Railway Colony, Lajpat Nagar,
New Delhi-110024. APPLICANTS
(BY Advocate: Shri P.E. Mimroth)

VERSUS

1. Union of India through the
Secretary, Railway Board, Rail Bhawan,
New Delhi.
2. General Manager,
Northern Railway,
Baroda House,
New Delhi.
3. Divisional Electric Engineer,
Northern Railway, Moradabad. RESPONDENTS
(By Advocate: Shri Rajesh)

JUDGMENT

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

In this application the All India Railway Ministerial Staff Association and one other have prayed for setting aside the impugned letter dated 1.10.69 and for a direction to the Respondents not to force them to perform the duties of the material clerks. A prayer has also been made to direct the Respondents to remove the disparity in relation to the Ministerial Staff and it has also been prayed that the Respondents be directed not to hand over the keys of Elec. Stores and impose responsibility of safe custody of Elec. Stores to the Ministerial Staff.

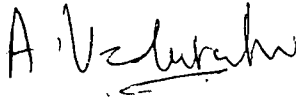
2. We have heard Shri Mimroth for the applicants and Shri Rajesh for the Respondents.

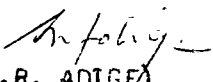
3. We note that the impugned circular¹¹ dated 1.10.69 which is much beyond the jurisdiction of the Tribunal to adjudicate upon. The Tribunal was set up on 1.11.85, and it

has been well settled through a catena of judgments that where the cause of action lies prior to three years before the date of inception of the Tribunal the same lies beyond the jurisdiction of the Tribunal.

4. Applicants' counsel Shri Mimroth has stated that consequent to the impugned letter dated 1.10.69, the respondents issued orders dated 27.9.90 (Annexure A.2) imposing a punishment on applicant No.2 Shri Shaukat Ali for violation of the contents of the impugned letter dated 1.10.69, which brings the O.A. within jurisdiction. However, we notice that the relief clause in the O.A. seeks as no relief against the respondents order dated 27.9.90.

4. In the result, as the impugned circular dated 1.10.69 lies beyond the jurisdiction of the Tribunal, we ^{in view of} see no interference in this case. This O.A. is dismissed. No costs.


(DR. A. VEDAVALLI)
Member (J)


(S.R. ADIGE)
Member (A)

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