

(7)

Central Administrative Tribunal
Principal Bench, New Delhi.

OA-358/2004

New Delhi this the 29th day of September, 2004.

Hon'ble Shri V.K. Majotra, Vice-Chairman(A)

Abnash Chander,
House No. 35,
Vish Karma Park,
Laxmi Nagar,
Delhi-92.

.....

Applicant

(Applicant in person)

Versus

Union of India through
Secretary,
Border Roads Development Board,
'B' Wing, Sena Bhavan,
DHQ PO, New Delhi-11.

.....

Respondent

Order (Oral)

Learned counsel of the respondents Shri J.B. Mudgil referring to the short reply filed on behalf of respondents has taken an exception to Tribunal's jurisdiction over the matter and contended that General Reserve Engineer Force (GREF), where the applicant has been serving as a Naib Subedar, is an Armed Force with the Union within the meaning of Section 2(a) of the Administrative Tribunals Act, 1985 and as such this Tribunal has no jurisdiction to deal with the grievance of the applicant. He has relied upon the decision of the Hon'ble Supreme court in R. Viswan and Ors. Vs. U.O.I. & Ors.



(AIR 1983 SCC 658) which was followed by this Tribunal in the case of Kunju Krishan Pillai Vs. U.O.I. & Ors. (Annexure R-2) decided on 12.5.1986 to the effect that GREF personnel are members of the Armed Force of the Union and as such their grievances cannot be entertained by this Tribunal under Section 19 of the Act.

2. On this, applicant seeks and is allowed to withdraw this OA for presentation thereof before an appropriate forum. Allowed with liberty, as sought for.

V.K. Majotra
(V.K. Majotra)
Vice-Chairman(A)

29.9.04

/vv/