

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA 705/2004

New Delhi, this the 8th day of September 2004

Hon'ble Shri Sarweshwar Jha, Member (A)

National Physical Laboratory
Through its Director,
Dr. K.S. Krishnan Marg,
New Delhi - 110 012

....Applicant

(By advocate Shri Parveen Swarup)

Versus

Smt. Kamlesh Kumari
Quarter No. G-17,
NPL Colony,
New Rajinder Nagar,
New Delhi.

....Respondents

(By advocate Shri Pradeep Dahiya)

ORDER (ORAL)

Heard the learned counsel for the parties. At the very outset, it has been pointed out by the learned counsel for the respondents that this Tribunal has no jurisdiction in the matter as has been raised in this OA, as it is relating to Public Premises (Eviction of Unauthorized Occupants) Act, 1971. In this connection, reference has been made to the decisions of this Bench of the Tribunal in OA 3046/2002 in which it has been held that any matter involving application of the said Act shall not be falling within the jurisdiction of this Tribunal.

2. While the learned counsel for the applicant agrees to the fact that any matter relating to the said Act shall not be within the jurisdiction of this Tribunal, he has submitted that earlier a view had been taken by this Tribunal that such matter also ~~can~~ be entertained by this Tribunal. He has also submitted in this regard that an appeal against the said order of the Tribunal has been filed in the Hon'ble High Court of Delhi and notices have been issued in that regard. He has, however, not cited the case. /

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3. It has been mentioned that the order of this Tribunal as given in OA No. 3046/2002 has been passed as recently^{as} on 21-10-2003 and has not been appealed against, and has thus acquired finality. Accordingly, this needs to be complied with by all concerned. Moreover, the decision of the Hon'ble High Court, as and when available, in the appeal, which has been made against the decisions of this Tribunal in the said OA not cited, shall decide the course of action by the parties, if so advised. That being the case, this OA is dismissed for non-jurisdiction.

Sarweshwar Jha

(Sarweshwar Jha)
Member (A)

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