

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

...
OA No. 1746/92
&
MA 299/98

(21)

New Delhi, this the 15th day of July, 1999

HON'BLE SHRI S.R.ADIGE, VICE-CHAIRMAN (A)
HON'BLE SHRI P.C. KANNAN, MEMBER (J)

In the matter of:

Union of India through

The General Manager,
Northern Railway,
New Delhi.

AND

Divisional Personal Officer,
Norther Railway,
Delhi Division,
Near New Delhi Railway Station,
New Delhi.Applicants

(By Advocate: Shri R.L. Dhawan)

Versus

1. Shri Ram Chander,
s/o Shri Ladhu Ram,
r/o village Khora Ladkhani,
P.S. Shahpura,
Distt. Jaipur(Rajasthan)
2. The Presiding Officer,
Central Government Labour Court,
New Delhi.
3. The Assistant Collector,
Old Civil Supplies Building,
Delhi.Respondents

(By None)

O R D E R (ORAL)

By Hon'ble Shri S.R. Adige, Vice-Chairman (A):

1. Shri R.L. Dhawan, counsel for applicants (Union of India) presses M.A. 299/98 seeking restoration of O.A. 1746/92 which was dismissed for default on 21.11.1997.

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2. The M.A. 299/98 was filed on 2.1.1998, but was adjourned sine die till a clear ruling was placed before the Bench, as to whether the Tribunal had jurisdiction in cases under the Industrial Disputes Act, because in OA 1746/92, applicants (Union of India) had prayed for setting aside the orders dated 2.1.1992 passed by respondent no. 2 (Presiding Officer, Central Government Labour Court, New Delhi) in L.C.A. No. 96/86 Chhotey Lal vs. Divisional Railway Manager, Western Railway, Kota.

3. In this connection our attention has been invited to the Hon'ble Supreme Court's judgement dated 18.10.1995 in K.P. Gupta vs. Controller of Printing & Stationery reported in 1996 SCC (L&S) 264, wherein it has been held that the Central Administrative Tribunal has no jurisdiction to entertain appeals against orders passed by the Labour Court under the Industrial Dispute Act, 1947.

4. Under the circumstances, after allowing MA ^{and 1} 299/98 [restoring OA 1746/92 to its original position, the said O.A. is dismissed for lack of jurisdiction.

5. Registry is directed to return the papers to the applicant (UOI), with liberty granted to them, to approach the competent legal forum in accordance with law, if so advised.

Draem
(P.C.KANNAN)
Member (J)

Adige
(S.R. ADIGE)
Vice-Chairman (A)

/NaresH/