

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL NEW DELHI

O.A. No. 2086/93

199

T.A. No.

DATE OF DECISION 5.10.1993

Shri S.K. Madan

Petitioner

Shri Ashok Arora

Advocate for the Petitioner(s)

Versus

Union of India

Respondent

Advocate for the Respondent(s)

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The Hon'ble Mr. J.P. Sharma, Member (J)

The Hon'ble Mr. B.K. Singh, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

(ORAL) JUDGEMENT

(By Hon'ble Mr. J.P. Sharma, Member)

Shri Ashok Arora, Advocate, appears for the applicant. The applicant in this case is aggrieved that M.T.N.L. passed an order dated 13.8.1993 against the applicant by which his candidature for the J.T.O. Training at Jabalpur has been cancelled due to his wilful absence from Phase II of the Training. The relief claimed in this application is for quashing of this order passed by Assistant General Manager (Admn.) of the M.T.N.L. with a further direction that the


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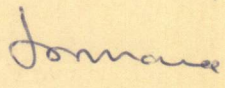
applicant be sent again to the said Training with other consequences of seniority, etc. The learned counsel for the applicant could not convince that the Central Administrative Tribunal has the jurisdiction over this matter. Section 14 of the Administrative Tribunals Act, 1985 confers jurisdiction, power and authority on the C.A.T. Sub-clause ⁽²⁾ of that Section provides that the Central Govt., by notification apply with effect from such date as may be specified in the notification the provisions of Sub-Section (3) (local or other authority) within the territory of India under the control of the Central Government and (2) Corporations (or Society) owned or controlled by the Government of India, not being a local or other authority, or corporation or society controlled or owned by the State Government. Sub-clause (a) of sub-clause ⁽³⁾ (iii) of the aforesaid Section confers a jurisdiction on the Tribunal in connection with the affairs of such local or other authority or corporation, or society. le

2. There is no notification issued by the Central Government under sub-section (2) of Section 14 of the A.T. Act, 1985. The application, therefore, is not maintainable as the C.A.T. has no jurisdiction over service matters assailed by the applicant in this case.

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3. The application, therefore, is held to be non-maintainable with a liberty to the applicant to assail the matter after withdrawing the application in the competent forum, if so advised. The application is dismissed.


(B.K. Singh)
Member (A)


(J.P. Sharma)
Member (J)