

(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI.

OA.2297/93

New Delhi this 6th December 1993

Pramod Kumar Gupta  
C/o Shri Praveen Kumar Agarwal,  
S-33, Gurudwara Road,  
South Anarkali Nagar,  
Shahdara, Delhi

Applicant

Versus

Union of India

- (1) The Ministry of Transport and Shipping  
through its Secretary,  
Parliament Street,  
New Delhi.
- (2) The Director General,  
Directorate General Border Road (DGBR)  
Kashmir House, DHQ, PO  
New Delhi.
- (3) The PPA.O, (GREF),  
Care, CDA (SC)  
Poona-1.
- (4) The Chief Engineer, Project Sampark,  
C/o 56, A.P.O.
- (5) The Commanding Officer,  
239, P.W.D. (Works) Pt.  
Care-69-RCC (GREF)  
C/o 56- APO.

Respondents

For the applicant      Shri Rajeev Sharma, Counsel  
For the respondents      Shri V.K. Bhargava, Counsel

JUDGEMENT(Oral)

(delivered by Hon. Member(J) Shri C.J. ROY)

Heard. At the outset, the departmental representative took a preliminary objection on the ground that this tribunal has no jurisdiction to hear the matter since there is a precedence of a similar case in which a member of the armed force has been heard in the High Court. He also cited the rulings of a case decided in the Principal Bench on 12.5.86. Both sides agree that this matter was later on taken up to the Supreme Court and the order was upheld.

2. In the circumstances, the Registry is directed to return all the papers to the applicant so as to enable him to file in the proper court.
3. The case is disposed of accordingly.

*✓*  
(C.J. ROY)  
MEMBER(J)  
06.12.1993