

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 393 of 1996

Allahabad this the 21st day of May, 2003

Hon'ble Mr.S.K. Agarwal, Member (A)
Hon'ble Mrs.Meera Chhibber, Member(J)

Dr.Abdul Khalique, S/o Shri
Station Director, All India Radio, Rampur.

Applicant

By Advocate Shri Lalji Sinha

Versus

1. Union of India, through Ministry of Information and Broadcasting, New Delhi.
2. Station Director, All India Radio, Rampur.

Respondents

By Advocate Shri Prashant Mathur

O R D E R (Oral)

By Hon'ble Mr.S.K. Agarwal, Member(A)

The applicant has approached this Tribunal with a prayer to quash the charge-sheet dated 31.01.1996 issued by respondent no.1 and to quash the entire disciplinary proceedings set up against the applicant pursuant to the said charge sheet, and to pass such order, as may be deemed fit.

2. The facts of the case in brief are that the applicant was posted as Station Director, All India Radio, Solapur, Maharashtra, and prior to

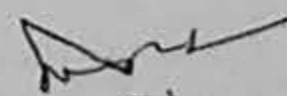
it he was posted in the said capacity at different places. Vide order of Director General dated 21.07.1994 the applicant was transferred from All India Radio, Solapur, Maharashtra to All India Radio, Almora as Station Director. The applicant has since retired from service on 31.01.2002.

3. Counsel for the respondents has raised preliminary objection that this O.A. is not legally maintainable as All India Radio (Akashvani) has been converted into Corporation now as Prasar Bharti, and no notification under Section 14(2) of the Administrative Tribunals Act, 1985 has been issued by the Central Government conferring jurisdiction on this Tribunal. The respondents counsel has also stated that the legal position in this regard is well settled by the order dated 10.11.00 passed in O.A.No.1192/96, which was again followed in another decision dated 10.01.03 in O.A.No.474/97, a copy of which is produced by learned counsel before us.

4. We have gone through all the facts of the case and the Judgment of this Court dated 10.01.03. In the circumstances, we are of the view that the O.A. is not maintainable and the same is accordingly dismissed with no order as to costs. However, the applicant is given liberty to seek redressal before the appropriate forum.



Member (J)



Member (A)

/M.M./