

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 25th day of May 1998

Hon'ble Mr. S. Dayal, Administrative Member
Hon'ble Mr. S.L. Jain Judicial Member

Original Application no. 932 of 1997.

Narendra Kumar, S/o Sri Ram Avtar, R/o 25/9, Ajitganj
Colony, Kidwai Nagar, Kanpur.

..... Applicant

C/A Sri O.P. Khare

Versus

- Recd on 11/7/98
OP 932 of 1997
and 319/96
O.P. Khare
12/8/98
3/6/98*
1. Union of India through Additional Secretary and Development Commissioner, Small Scale Industries, Ministry of Industries, Government of India, Nirman Bhawan, New Delhi.
 2. Director, Fragrance & Flavour Development Centre (P.P.D.C), Kannauj, District Farrukhabad.
 3. K.N. Dwivedi, Dy. Director (Chemical), Fragrance & Flavour Development Centre, Kannauj, District Farrukhabad.
 4. P.K. Mukhopadhyay, Assistant Director (Administration), Fragrance & Flavour Development Centre, Kannauj, Distt. Farrukhabad.

.... Respondents

C/R Shri V.K. Singh

Alongwith

Original Application no. 319 of 1996.

Vishan Swaroop, S/o Maiku resident of village-Balahipurva
C/o Sri Ram Pal, Post-Makrand Nagar, Kannauj Distt.
Farrukhabad, U.P.

.... Applicant

C/A Shri O.P. Khare

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1. Union of India through Addl. Secretary and Development Commissioner (Small Scale Industries) Ministry of Industry Government of India, Niranjan Bhawan, New Delhi.
2. Director, Process and product Development Centre, Kannauj District Farrukhabad.
3. Rajesh Kumar Dwivedi, helper officer of the Director Process and Product Development Centre, Kannauj, Distt. Farrukhabad.
4. Sudarshan Lal Kushwaha-helper officer of the Director Process and product Development Centre Kannauj District Farrukhabad.

.... Respondents

C/R Sri V.K. Singh

O R D E R (Oral)

Hon'ble Mr. S. Dayal, Member-A.

These are two O.A.'s which have been filed by the applicants Shri N. Kumar and Shri B. Swaroop respectively and registered as O.A. 319/96 and 932/97. The applicants claim to be under employment of process and product Development Centre, Government of India a society under Ministry of Industry, Government of India, Kannauj, Distt. Farrukhabad. Learned counsel for the applicant mentions that the name of this society was subsequently changed as Fragrance & Flavour Development Centre. The applicants have come to the Tribunal for continuance of the employment subsequent to the oral termination of their services.

2. pleadings in both these cases are complete. Respondents in their counter reply have contested the jurisdiction of the Tribunal in case of the society in question and have cited the judgment of Principal Bench in O.A. 2549 of 1990 delivered on 18.05.95 in which another society namely Process and Product Development Centre for Sports

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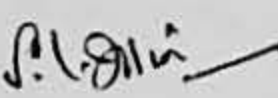
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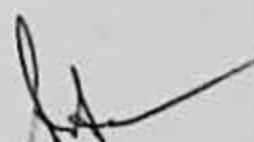
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Goods and Leisure Time Equipment, also under the Ministry of Industries, was considered to be lying out side the purview of the Tribunal and the order issued by an authority of that society to be out side the jurisdiction of the Tribunal.

3. Learned counsel for the applicant prays that the order be passed in the light of this submission of the respondents made in their counter affidavit on the basis of the judgment of the principal Bench in O.A. 2549/90. Learned counsel for the applicant does not contest the position of the respondents taken in their counter affidavit. Therefore, we hold that the O.A.'s in question are not maintainable and are disposed of with the permission to file before appropriate forum, if so advised.

4. Copies of the O.A. be return to the learned counsel for the applicant in both the cases with endorsement.


Member-J


Member-A

/pc/