

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD

ORIGINAL APPLICATION NO.235 OF 2005

ALLAHABAD THIS THE 17TH DAY OF MARCH 2005

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN
HON'BLE MR. D. R. TIWARI, MEMBER-A

1. Nawab Idrish Hussain,
Son of Late Basher Hussain,
Resident of Shisham Bagh Cantonment,
Fatehgarh Post Office-Fatehgarh,
District-Farrukhabad.
2. Ram Avatar,
Son of Vidya Ram,
Resident of new Colony Nekpur Kalan,
Fategarh P.O. Fatehgarh,
District-Farrukhabad.
3. Chandra Bhan,
Son of Ram Prasad,
Resident of Shisham Bagh Cantonment,
Fatehgarh, District-Farrukhabad.

.....Applicants

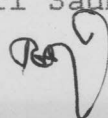
(By Advocate Sri B. Singh & Shri D.P.S. Chauhan)

Versus

1. Union of India,
Through its Secretary Defence,
New Delhi.
2. Principal Director,
Central Command Lucknow 17 Outer Ine Karippa
Marg, Lucknow.
3. President Cantonment Board,
Fatehgarh.
4. Executive Officer Cantonment Board,
Fatehgarh.
5. Prasad Chavan President Cantonment Board,
Fatehgarh.
6. M/s Sharma Dusters and sprayers 93,
Ash Bagh near Malviya Nagar,
Lucknow.

.....Respondents.

(By Advocate Sri Saumitra Singh)



ORDER

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN

The applicants are employees of Cantonment Board, Fatehgarh. They are facing certain enquiry regarding misuse of Government money to the tune of Rs.4,70,000/- for purchase of certain Fogging machine.

2. The Original Application seeks issuance of a direction to the respondent no.1 to get the enquiry held by an agency other than the third respondent namely, President Cantonment Board, Fatehgarh, who, according to the applicant, was responsible for irregularity in the purchase of Fogging machine.

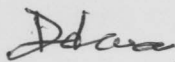
3. Shri Pankaj Srivastava, holding brief of Shri S.P. Sharma, learned counsel representing the respondent no.1 to 4 states that the Cantonment Board is not within the preview of the Central Administrative tribunal in as much as no notification in that regard has been issued under Section 14(2) of the Administrative tribunals Act, 1985.

4. Learned counsel for the applicant has not produced any notification under Section 14(2) of the Central Administrative Tribunal Act, 1985 bringing the Cantonment Board within the preview of the Tribunal.

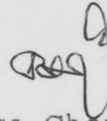


In that view of the matter the tribunal has no jurisdiction to entertain the present Original Application.

5. The same is accordingly, dismissed without prejudice to the right of the applicants to pursue their remedy at appropriate forum. No Costs.



Member-A



Vice-Chairman

/NEELAM/