



**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH**

**ORIGINAL APPLICATION NO.170/248/2021**

**DATED THIS THE 12<sup>TH</sup> DAY OF APRIL, 2021**

**CORAM:**

**HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)**

(On video conference from Central Administrative Tribunal, Chandigarh Bench, Chandigarh).

**HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)**

(On video conference from Central Administrative Tribunal, Bangalore Bench, Bangalore).

Sri Virappa S. Patil, aged about 52 years, S/o Shivappa D. R/ a No.196, Mahasibha, 9<sup>th</sup> Cross, 2<sup>nd</sup> Stage, Vijayanagar Railway Layout, Mysore-570017, working at office of Railway Goods, Ukai Songarah-USD/TPHS/WR, Mumbai Division.

....Applicant

(By Advocate SHRI M. RAJKUMAR– through video conference)

Vs.

1. The DRM, Mumbai Division, Western Railway, DRM Office Building, Opp: Mumbai Railway Station, Mumbai Central-400008.
2. The Union of India, Through General Manager, Western Railway, G.M. Building, Opp: Church Gate Station, Mumbai-400020.
3. The Union of India, Railway Ministry (Through Railway Board), New Delhi-110001.

.....Respondents

**ORDER (ORAL)**

**PER: SURESH KUMAR MONGA, MEMBER (J)**

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein a direction to respondents to consider his representation dated 14.10.2020 and extend the benefit of Voluntary Retirement Scheme by invoking the



provisions of “Rights of Persons with Disabilities Act, 2016” (hereinafter called as the ‘2016 Act’.

2. Admittedly, the applicant is presently working at the office of Railway Goods, Ukai Songarah-USD/TPHS/WR, Mumbai Division, which is not within the territorial jurisdiction of Bangalore Bench of this Tribunal. Even the parties arrayed as respondents in the Original Application are not stationed within the territorial jurisdiction of the Bangalore Bench of this Tribunal.
3. Learned counsel for the applicant, however, submitted that the applicant being a person with disability can maintain the present Original Application at any Bench of this Tribunal in view of the provisions of Section 12(1) of the ‘2016 Act’.
4. We do not find any substance in the argument of learned counsel for the applicant.
5. A perusal of the provisions of Section 12(1) of the ‘2016 Act’ reveals that the appropriate Government is required to ensure that the persons with disabilities are able to exercise the right to access any Court, Tribunal, Authority, Commission or any other body having judicial or quasi-judicial or investigative powers without discrimination on the basis of disability. The said section nowhere talks about the fact that a person with disability can file the Original Application before any Bench of this Tribunal ignoring the fact of territorial jurisdiction conferred upon various Benches.
6. In our considered view, the territorial jurisdiction to entertain the present Original Application is bestowed upon the Mumbai Bench of this Tribunal.



7. In view of the above, the Registry is directed to return the Original Application to applicant enabling him to present the same before the Mumbai Bench of this Tribunal having territorial jurisdiction over the matter.

**(RAKESH KUMAR GUPTA)**  
**MEMBER (A)**

**(SURESH KUMAR MONGA)**  
**MEMBER (J)**

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