



Central Administrative Tribunal, Allahabad.

Registration M.A.No.58 of 1987

General Manager Applicant

Vs.

Shatrughan Singh Respondent.

Hon. D.S.Misra, AM
Hon. G.S.Sharma, JM

(By Hon. G.S.Sharma, JM)

This is an application moved for returning the service record of Shatrughan Singh plaintiff-respondent in T.A.No.887 of 1986 decided by this Bench on 18.3.1987. It is alleged that the service book of the plaintiff-respondent was produced in that case and as the case has been decided, it is required by the defendant-applicant for further action. Instead of disposing of the application, the Registry listed this application for orders before us without any reason as to why this application could not be disposed of by the Deputy Registrar. It may be possible that the legal implication of the application was not clear.

2. For the guidance of the Registry, we may make it clear that clause (xii) of the Rule 29 of the Central Administrative Tribunal (Procedure)Rules, 1987 (in short Procedure Rules) lays down that in addition to the powers conferred elsewhere in these Rules, the Registry shall have the powers and duties subject to any general or special order of the Chairman or the Vice Chairman of the Bench concerned to receive and dispose of applications by the parties for return of documents. The powers enumerated in clause (i) to (xii) of this rule are to be exercised by the Registry unless some check is imposed on such powers by the Chairman or the Vice Chairman of the

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.2.

Bench concerned by issuing any general or special order. We are not aware of any general or special order issued so far restricting the powers to be exercised by the Registrar under this rule by the Chairman or the Vice Chairman of this Bench. In case there is any such order, the same be placed before us immediately for our information and necessary action.

3. Rule 28 of the Procedure Rules provides that the Registrar shall have the custody of the records of the Tribunal and shall exercise such other functions as are assigned to him under these rules. Sub-rule (3) of rule 28 further says that in the absence of the Registrar, the Dy.Registrar may exercise all the powers and functions of the Registrar. We are, therefore, of the view that as there is no Registrar in this Bench from the very beginning and till recently as there was only one Dy.Registrar, all the powers- administrative and judicial- of the Registrar were being exercised by one single Dy.Registrar. As we now have one Dy. Registrar(Judicial) in this Bench for sometime, we believe that all the judicial powers of the Registrar are to be exercised by the Deputy Registrar (Judicial) unless there is ^{be any} ~~no~~ restriction on such powers by the Vice Chairman of this Bench or the Chairman of the Tribunal. The present application for return of the service record has thus to be disposed of by the

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AG

.3.

Deputy Registrar (Judicial) in view of the powers vested on him under clause (xii) of rule 29 read with rule 28 of the Procedure Rules. Even once before, an application for return of documents was listed before us by the Registry. We now direct that no such application shall be listed before us in future by it.

Shm
18.5.87

Member (A)

Dated 18.5.1987
kkb

Z. Sharmin
18/5/87

Member (J)