

**CENTRAL ADMINISTRATIVE TRIBUNAL,**

**ALLAHABAD.**

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Registration T.A.No. 623 of 1987  
(Writ Petition No. 135 of 1985)

Raj Nath Pradhan . vs. . Union of India and others

Hon. Justice Shri S.Zaheer Hasan, Vice Chairman.

Hon. Shri Ajay Johri, Member(A)

(Delivered by Hon. S.Zaheer Hasan, Vice ~~Chairman~~.)

Petitioner Raj Nath Pradhan joined Indian Army and was working as Junior Commissioned Officer and posted at Central Ordnance Depot, Agra. On 27th September, 1983 and on 9.2.1984 some theft of army property took place in the Ordnance Depot, Agra. In this connection departmental proceedings were initiated against the petitioner and charge-sheet was issued to him. During the pendency of the aforesaid proceedings he retired. He filed this writ petition before the Hon. High Court of Judicature at Allahabad for quashing the entire proceedings right from the issuance of charge/sheet, summary of evidence and the general court martial trial. This writ petition has been transferred to this Tribunal under Section 29 of the Administrative Tribunals Act, 1985.

Petitioner was Junior Commissioned Officer in the Army. Section 2 of the Administrative Tribunals Act lays down that this Act shall not apply to any member of the Naval, Military or Air Force or of any other armed force of the Union. In this view of the matter we have

*Dr V.B. Singh*  
*Advocate*  
*H.C. Alld.*

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no jurisdiction to decide this writ petition. The file of Writ Petition No. 135 of 1985 be retransmitted to the Hon. High Court of Judicature at Allahabad.

*sd/-*  
VICE CHAIRMAN.

*sd/-*  
MEMBER (A)

July 24, 1987.

R.Pr./

*C.T.C.*  
*R.N.*  
(R. N. PANDEY)  
Section Officer  
Central Administrative Tribunal  
Allahabad.

*7/8/87*