

APR 13

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

ORIGINAL APPLICATION NO. 493 of 1987

Om Veer Singh Applicant

Versus

The Union of India & others..... Respondents.

Hon'ble S.Zaheer Hasan-VC
Hon'ble D. S. Misra - AM

This is an application under section 19 of the Administrative Tribunal Act no.XIII of 1985 against the Chief of the Army Staff and others claiming pensions for the period during which, he was employed in the Army. He was a regular member of Army and was working as Nayak. According to section-2 of the Administrative Tribunal Act, 1985, this act will not apply to the member of Armed Forces of Union of India. and as such, this tribunal has no jurisdiction to decide the aforesaid petition. It was contended that in view of Section-2 Sub-clause(ii) of the Army Act,1950, retired army personnel can claim pension by filing petition in this Tribunal on the ground that he ceases to be a member of Armed force. To our mind, the argument is misconceived. The applicant has ~~also~~ claimed pension because he had worked in the army and was retired. So, to our mind, as already held, this application is barred by section 2(a) of the Administrative Tribunal Act,1985. Since we have

AGH

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no jurisdiction, the application is dismissed at
admission stage.

Shahid Member (A)
25.2.88

25.2.88
Vice-Chairman

Dt/-25.2.1988/
Shahid.