

(6) (82/1)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
(ALLAHABAD BENCH).

Original Application No. 875 of 1988.

Vijoy Kumar Sharma ... .. Applicant.

Versus.

Union of India & others ... .. Respondants.

Hon'ble Mr. A.K. Sinha, Member-J.,

Hon'ble Mr. B.K. Singh, Member-A.

(By Hon'ble A.K. Sinha, Member-J).

The applicant herein, an accounts clerk-cum-typist of Nehru Yuva Kendra, Badaun, seeks directions against respondents that the applicant be not transferred to the 'Nehru Yuva Kendra Sangasthan' and his services be not terminated and that he be paid his salary regularly besides arrears etc.

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2. We have perused the pleadings of the parties and the relevant documents annexed therewith besides the rejoinder filed by the applicant and we have also heard the learned counsel for the respondents Shri K.C. Sinha, Advocate, who submitted that this tribunal has got no jurisdiction to entertain this application since the applicant is an employee of Nehru Yuva Kendra, Badaun, and that his services have been placed with Nehru Yuva Kendra Sangathan which is a registered Society under the Societies Registration Act, 1860 and the same has its own service regulations to govern the terms and conditions of services of the employee working in the 'Kendras' and, as such, this Tribunal has got no jurisdiction to entertain the grievances of an employee of the said Society unless notified under sub-clause (2) of Section 14 of the Administrative Tribunals Act, 1985.

P.T.O.....



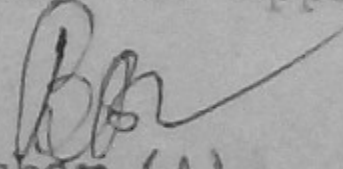
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3. After having gone through the pleadings of the parties and hearing the argument of the learned counsel for the respondents and giving our anxious considerations to the averments made in the application and the rejoinders filed by the applicant since nobody had appeared for the applicant at the time of hearing the argument, we are of the view that the submissions of the learned counsel for the respondent is not without substance.

4. In the conspectus of facts and circumstances, it is quite clear that the "Neharu Yuva Kendra Sangasthan" is a Society registered under the provisions of the Societies Registration Act, 1860 and the same has its own service regulations governing the terms and conditions of services of the employees working under the 'Kendras'.

5. Admittedly, the applicant is an employee of Nehru Yuva Kendra which is not a civil post under the Union. This Tribunal has no jurisdiction, in our view and opinion, to entertain the grievances of an employee of a Society or such an institution unless notification envisaged by Sub-section (2) of Section 14 of the Administrative Tribunals Act, 1985 is issued. That being the position in law, the present application is not entertainable by this Tribunal.

6. That being the position, we accordingly order and direct that let this application be returned to the applicant for filing/presenting it, if so advised, before proper forum or court of competent jurisdiction. With this direction, the application is disposed of.

  
Member (A).  
-8-1993.

  
Member (J).  
20-8-1993.

Allahabade, dated 20<sup>th</sup> day of August, 1993.