

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

DATED: THIS THE 13th DAY OF APRIL 1999.

Coram:- Hon'ble Mr.S. Dayal, A.M.
Hon'ble Mr.S.L. Jain, J.M.

ORIGINAL APPLICATION NO.1498 of 1992.

Assistant Engineer, Telecommunications
Railway Electricfication Project,
1/13 Vibhav Nagar, Agra.

.. . Petitioner.

Counsel for the Petitioner: Sri Ashok Mohiley, Adv.

Versus

1. Presiding Officer, Central Government
Industrial Tribunal-cum-Labour Court,
Pandu Nagar, Kanpur.
2. Pooran Singh
s/o Sri Radhey Shyam,
Village Atara, Post Bisawara,
district Mathura.

. . . Respondents.

ORDER

(By Hon'ble Mr.S. Dayal, Member(A.))

In this O.A. the applicant has prayed for
setting aside of order dated 15.9.1992 of Central
Government Industrial Tribunal-cum- Labour Court
Pandunagar, Kanpur. It has further been prayed that
the respondents be directed not to proceed further
with the case in pursuance of order dated 15.9.1992.

2.

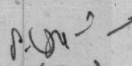
By Order dated 15.9.92, the Central Government

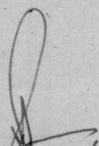
Industrial Tribunal-cum- Labour Court has held that the posts and Telegraph Department is an industry within the meaning of 2(J) of Industrial Disputes Act and that applications 634 to 644 of 1988, 661 of 1988, 664 of 1988, 674 of 1988, 299, 300 of 1989 and 319 of 1989 are maintainable before Central Government Industrial Tribunal-cum- Labour Court and the application as filed by the applicant with similar facts and between some parties were not maintainable.

3. The Apex Court has held that the orders of Labour Courts do not fall within the jurisdiction of Central Administrative Tribunal. The judgment of the Apex Court in this connection is given in

~~Even in~~ Special Leave petition (Civil) No. 2041/1995 on 6.11.95 between Divisional Personnel Officer Vs. Central Industrial Tribunal Jaipur and others in which the Apex Court has referred to K.P.Gupta's case as laid down that Central Administrative Tribunal has no jurisdiction to entertain an application under section 19 of the Central Administrative Tribunals Act against award/ Labour Court and Industrial Tribunal.

In view of this the O.A. is dismissed as non maintainable. The applicant may seek redress elsewhere if so advised.


Member(J.)


Member (A.)

Nafees.