

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 15TH DAY OF APRIL, 1999

Original Application No.1556 of 1992

HON.MR.JUSTICE NEELAM SANJIVA REDDY,V.C.

HON.MR.G.RAMAKRISHNAN, MEMBER(A)

Shiv ratan Lal Dixit  
aged about 27 years  
S/o Shri Kaushal Kishore Dixit  
R/o village & Post Danmandi,  
Farrukhabad.

... Applicant

Versus

1. Ist Addl. Munsif, Farrukhabad
2. Union of India through Superintendent  
of Post Offices, Fategarh Division  
Farrukhabad.
3. Jai Pal Singh, S/o Shri Munnu Lal  
R/o Village-Danmandi, Post  
Jahanganj, District Farrukhabad.

... Respondents

O R D E R(oral)

BY HON.MR.JUSTICE NEELAM SANJIVA REDDY,V.C.

The applicant by this application has questioned the order of Ist Addl. Munsif, Farrukhabad passed in IA No. in O.S.No 487 of 1992 Under Order XXXIX Rule 2 C.P.C dated 3.9.92.

2. Learned counsel for the respondents opposed the application on the ground of maintainability. He contends that the impugned order being an order passed by a civil court the party has to seek a remedy under C.P.C or before the High court under the appropriate provision and not before this Tribunal. We find merit in the submission. If really the Munsif has passed the order without jurisdiction, the same could have been questioned by the applicant before the appropriate forum under CPC. Instead, he has questioned the said order in this

Tribunal. We are of the view that Tribunal cannot

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entertain the application questioning the orders of a civil court as it is beyond the contemplation of the Administrative Tribunals Act. Hence this application is dismissed at the admission stage as not maintainable. No costs.

  
MEMBER(A)

  
VICE CHAIRMAN

Dated: 15.4.1999

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