

CENTRAL ADMINISTRATIVE TRIBUNAL

ALIAHABAD BENCH,

ALIAHABAD.

Allahabad this the day 26 May 1997.

ORIGINAL APPLICATION NO. 507 OF 1992.

CORAM : Hon'ble Mr. S. Das Gupta, Member (A)

Hon'ble Mr. S.L. Verma, Member (J)

The Divisional Engineer Telecom (Project),

Intergrated Digital Network,

9, Beni Prasad Marg, Lal Bagh, Lucknow.

..... Applicant.

(By Advocate Shri N.B. Singh)

Versus

1. Dalip Ram, S/o Shri Bachhi Ram Arya,
R/o Village Chani, P.O. Dewahal,
District Almora (U.P.).

2. Presiding Officer, Central Government
Industrial Tribunal, 11th Floor,
Ansal Bhawan, Kasturba Gandhi Marg,
New Delhi.

3. Assistant Labour Commissioner (C),
117, Chandra Nagar Dehradun.

4. Secretary Government of India,
Ministry of Labour, New Delhi.

..... Respondents.

(By Advocate Shri Suchir Agarwal)

ORDER (ORAL)

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

1. This application has been filed by Divisional Engineer Telecom (Project) Lucknow challenging the order dated 30.9.1991 by which the Ministry of Labour, Government of India has referred an Industrial Dispute to the Labour Court.

2. In the first place, it has to be stated that the Hon'ble Supreme Court has taken a view in the recent decision that any matter pertaining to the labour dispute shall not be cognizable by this Tribunal. Moreover, here is a case where one department of Union of India is challenging an order passed by another department of the same Government. In our view the Tribunal ~~is~~ is not ^{the} proper forum to adjudicate such a dispute. The application is disposed of as not maintainable before us. This, however, does not preclude the respondents from taking any other remedial measure, which is available to them before an appropriate legal forum including the departmental forum.

3. The stay order passed earlier automatically stands vacated.


Member (J)


Member (A)