

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH  
AT ALLAHABAD.

DATED THIS the 28th May, 1998.

Coram: Hon'ble Dr. R.K.Saxena, JM.,  
Hon'ble Mr. D.S.Bawaja, AM.,

ORIGINAL APPLICATION NO: 973 OF 1992.

Sub-Divisional Officer Telegraph,  
Bijnore. ... Applicant.  
(C/R: Sri Ashok Mohiley.)

V E R S U S:

1. Presiding officer,  
Central Govt. Industrial Tribunal-cum-  
Labour Court, Pandu Nagar, Kanpur.

2. Workmen through Sakha Sachiv  
Bhartiya Taryatric Karmchari Sangh  
Line Staff Evam Chaturth Varg  
Doorbhash Kendra Dhampur,  
Post office: Dhampur, district:  
Bijnore.

... Respondents.

Counsel for Respondents:  
Sri B.N.Singh/ S.K.Yadav.

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ORDER(ORAL).

By Hon'ble Dr. R.K. Saxena, JM.,

This application has been filed under Section 19 of the Administrative Tribunal's Act, 1985 challenging the award Annexure A-7 Dt. 17.3.1992 given by the respondent No.1, in the capacity of a Presiding officer of Central Govt Industrial Tribunal-cum-Labour Court, Pandu Nagar, Kanpur.

2. The facts giving rise to this case are that a reference was made by the Central Govt ~~for~~ <sup>whether</sup> the removal of Ramesh Singh and others from service was legal. The respondent No.1, held that the removal of the employees from service was not ~~bigger~~ <sup>legal</sup>. Feeling aggrieved by the said award, this O.A. has been preferred.

3. It has been opposed on behalf of the respondent No: 2, Workmen through the Branch Secretary, Bharitya Tar Yantrik Karmchari Sangh Line Staff Evam Chaturth Varg Doorhash Kendra Dhampur, Bijnore.

4. The legal position is now clear after the judgement was given by their Lordships of Supreme Court in the case of ' L.Chandra Kumar and ors: V/S Union of India Ors' J.T 1997 (3) SC P-589. It has been held that the supervisory powers over the Industrial Tribunal ~~is~~ exercisable under Article 227 of the Constitution is vested in the High courts. In these circumstances, this O.A. is not maintainable before this Tribunal. If the applicant is so advised, he may still seek remedy before the proper forum.

5. The O.A. is, therefore, stands dismissed and stay order which was granted on 31.8.1992 stands vacated.

MEMBER(A)

MEMBER(J).