

OPEN COURT.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL. BENCH,  
ALLAHABAD.

Dt. This The... 24th April, 1997.

Coram: - Hon'ble Dr. R.K. Saxena, J.M.

Hon'ble Mr. D.S. Baweja, A.M.,

ORIGINAL APPLICATION NO: 1093 OF 1995.

Divisional Personnel Officer,

Northern Railway,

Moradabad. ..

.. Applicant.

( C/A: Sri A.V. Srivastava.)

Versus:

1. Assistant General Secretary,

Uttar Railway Karmchhari Sangh/Union,  
39 II, Multi Storeyed Building Colony,  
Charbagh, Lucknow.

2. Preciding Officer,

Central Government, Industrial Tribunal-cum-  
Labour Court,

Kanpur.

3. Secretary,

Min. Of Labour, Govt. of India,

New Delhi.

... Respondents.

( C/Rs Sri R.K. Tewari/ Sri S.N. Dubey, )

... contd.)

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ORDER (ORAL).

By Hon'ble Dr. R.K.Saxena, J.M.,

This petition has been filed challenging the award given by respondent No:2, on 2.6.1995 Annexure A-4 whereby, the workman Sri Jagannath Rai and Sri Pratap Narain Sharma, were held eligible for regularisation.

2. Briefly, the stated facts of the case are that Jagannath Rai and Pratap Narain Sharma, were appointed as Khalsi on 21.7.76, but they were not regularised, therefore, they approached the respondent No:2, through the respondent No.1. Accordingly, the respondent No2, gave the said award directing the present applicant to regularise the services of those workmen. They were also awarded Rs200/- as costs.

3. Feeling aggrieved by this award, the present O.A has been preferred.

4. Respondent No1, contested the case on several grounds including the ground that this Tribunal has got no jurisdiction to interfere with the award given by the respondent No.2.

5. We have heard Sri A.V.Srivastava, Counsel for the applicant and Sri R.K.Tewari, Counsel for the respondents. We have also perused the record.

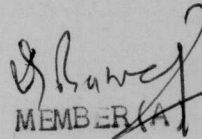
6. The main question for consideration is whether this Tribunal can look into the grievances of the applicant by interfering with the award given by the respondent No: 2. In this connection, our attention has been drawn towards the latest decision of the Hon'ble Supreme Court in Civil Appeal No: 481 Of 1989 'L.Chandra Kumar V/S Union of India' decided on 18th March, 1997 in which their Lordships held that the supervisory jurisdiction under Article 227 of the Constitution is vested only in the High Court.

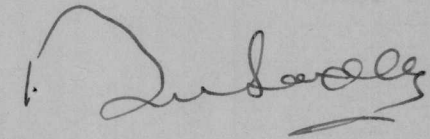


2.

The present petition is also directed to the exercise of the same jurisdiction. In view of the law laid down by the Hon'ble Supreme Court, we come to the conclusion that the O.A. is not maintainable and it stands dismissed.

7. If the applicant is so advised, he may approach proper forum. Interim order dated 6.11.95 stands vacated.

  
MEMBER(A)

  
MEMBER(J).