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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

**Civil Misc. Restoration Appl. No. 483 of 2010 in
Original Application No. 284 of 2006**

Allahabad this the 26th day of September, 2012

**Hon'ble Mr. Sanjeev Kaushik, Member-J
Hon'ble Mr. Shashi Prakash, Member-A**

Kamlesh Chandra Singh son of late Ganga Dhar Singh, Resident of Village Balia, Post Office Chhotai Patti, District Darbhanga-Bihar, Presently posted as Material Checker (M/C) Railway Electrification, Kolkatta.

Applicant

By Advocate: Shri Rajesh Pathik (Not present)

Vs.

1. Union of India, through General Manager, North Central Railway, Allahabad.
2. General Manager Railway Electrification, Nabab Yusuf Road, Allahabad.
3. Divisional Railway Manager, North Central Railway, Allahabad.
4. Chief Project Manager, Railway Electrification, Kolkatta.
5. Deputy Chief Electrical Engineer (Cordination) Railway Electrification, Kolkatta.
6. Senior Personnel Officer Railway Electrification, Kolkatta.

Respondents

By Advocate: Shri Prashant Mathur

ORDER

Delivered by Hon'ble Mr. Sanjeev Kaushik, J.M.

Even in the revised call, none for the applicant to support the Misc. Restoration Application No. 483 of 2010. Shri Prashant Mathur, Counsel appearing for the respondents submitted that even the O.A. is not maintainable here as this Tribunal has no territorial jurisdiction to entertain this O.A. It is further submitted that when this O.A. was filed, the applicant was working with the respondents at Kolkatta, therefore, in terms of Rule 6 (ii) of the Central

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Administrative Tribunal (Procedure) Rules, 1987 (hereinafter referred to as Rules of 1987), this O.A. is not maintainable. To this effect, the Objection has already been taken by the respondents.

2. We have considered the submissions made by learned Counsel for the respondents and perused the pleadings on record. It is apparent from perusal of the Order Sheets that the approach of applicant as well as his Counsel has been very reluctant in pursuing the matter. Therefore, keeping in view the larger interest we go into the merits of the case also. From memo of parties, it is apparently clear that the applicant-Kamlesh Chandra Singh was posted as Material Checker in (M/C) Railway Electrification at Kolkatta at the time of filing the O.A. and even the Order dated 09.03.2006 impugned in the O.A. was also passed at Kolkatta, therefore, in terms of Rule 6 of the Rules of 1987, this Court lacks jurisdiction to entertain the present O.A.

3. In view of the above facts, we do not find any good ground to recall the Order dated 27.11.2009 passed by this Tribunal dismissing the O.A. in default. Accordingly, M.A. No. 483 and 484 of 2010 are rejected. According to the above discussion, as there is no merit in the O.A., same is also dismissed being lack of territorial jurisdiction. No costs.


Member-A


Member-J

/M.M/