

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Original Application No. of 2000

378

Applicant (s) ... G. Krishnam Rao Respondent (s) ... Union of India

Advocate for Applicant (s) ... M/s T. Patnaik Advocate for Respondent (s)

A. Karunika
 S. R. Mishra
 B. Ray
 M. K. Biswakarma

NOTES OF THE REGISTRY**ORDERS OF THE TRIBUNAL**

P.O/B.D. for Rs.50/- filed
 or Registration please.

on memo

21/8/00
 P. D. P. 21/8/00

V. V. V.

REGISTER

Registrar

Or. No. 1 dated 24.8.2000

This matter has been taken up to-day on being mentioned by the learned counsel for the petitioner in the morning. Defects pointed out by the Registry are ignored. Let the O.A. be registered.

Seen the petition. Heard the learned counsel for the petitioner. As we entertained some doubts about maintainability of this O.A., we have also heard Shri D.N.Mishra, learned Standing Counsel appearing for the respondents on the question of territorial jurisdiction of this Bench. The admitted position is that petitioner is working at Visakhapatnam in Andhra Pradesh. However, it is submitted orally by the learned counsel that the applicant at present is working at Jagdalpur in M.P., which is outside the territorial jurisdiction of this Bench. Learned counsel for the petitioner submits that Rule-6 of C.A.T. (Procedure) Rules, 1987,

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an application can be filed before the Bench within whose jurisdiction -

i) the applicant is posted for the time being; or

ii) the cause of action wholly or in part has arisen

It is submitted by the learned counsel for the petitioner that in this case applicant is facing possible reversion pursuant to a D.O. letter dated 26.5.2000 which has been enclosed by him at Annexure-6. This letter has been issued by the Chief Administrative Officer (Construction), Bhubaneswar to one Mr. Balkrishna, whose designation does not appear in this letter. Prima facie it appears that this letter which has been attested by the learned counsel for the petitioner to be attested true copy is only a portion of the original letter. Because of this we directed the learned counsel for the petitioner to produce the original of this D.O. letter on the basis of which Annexure has been attested by him to be true copy. It is submitted by Shri Kanungo that the original of this letter is not with him. It is further submitted by him that he cannot say on the basis of what document this Annexure-6 has been attested by his junior to be true copy. It is always expected that before such certification to be attested true copy is given, he should compare the copy with the original document. But apparently this has not been done in the instant case. In view of the above and also in view of the fact that this a Demi Official letter from one officer to another because of third reason that only a portion of the letter has been enclosed as Annexure-6, ~~xx~~ it is not possible to rely on this letter and therefore, this cannot be taken into account.

This Annexure-6 is the only basis on which learned counsel for the petitioner urges that this Bench has jurisdiction over the matter. Since we do not rely on Annexure-6, we have no other option but to hold that this Bench has no ~~xx~~ territorial jurisdiction to entertain this O.A. The O.A. is therefore rejected at the admission stage on the ground of lack of territorial jurisdiction.

S. Venkateswaran
Vice Chairman

MEMBER (JUDICIAL)