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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 121 OF 2002.
Cuttack, this the 11th day of March, 2002.

Lokanath Mishra.

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Applicant.

- yrs.-

Director General,
Railway Protection
Force & Others.

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Respondents.

FOR INSTRUCTIONS

1. Whether it be referred to the reporters or not? No
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not? No

M.P.S.
(M.P. SINGH)
MEMBER (ADMN.)

M.M.
11/03/2002
(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)

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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 121 OF 2002.
Cuttack, this the 11th day of March, 2002.

CORAM:-

THE HONOURABLE MR. M.P. SINGH, MEMBER (ADMN.)
A N D
THE HONOURABLE MR. MANORANJAN MOHANTY, MEMBER (JUDL.)

LOKANATH MISHRA, Aged about 42 years,
S/o. Baidhar Mishra, At-Banguraba
Gadadharpur, PO: Baliaapada, PS: Chandanpur,
Dist: Puri, At present working as Constable,
R.P.F., Mancheswar Carriage Repair workshop,
Bhubaneswar-17.

Applicant.

By legal practitioner: M/s. N.C. Mishra,
P.K. Mishra,
R.K. Mohanty,
Advocates.

- Versus -

1. Director General, Railway Protection Force, New Delhi, Railway Bhawan, New Delhi.
2. Inspector General, Railway Protection Force, South Eastern Railway, Garden Reach, Kolkatta.
3. Divisional Security Commissioner, (Commandant), RPF, South Eastern Railway, Khurda Road, Khurda.
4. Assistant Security Commissioner, R.P.F., South Eastern Railway, Khurda Road, At/PO/Dist: Khurda.

By legal practitioner:

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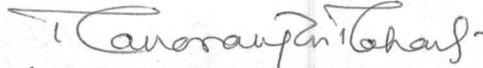
O R D E R
(ORAL)

MR. MANORANJAN MOHANTY, MEMBER (JUDICIAL) :

Apprehending termination of his service, the Applicant, a constable of Railway Protection Force, has filed this Original Application. The Registry has pointed out the question of maintainability. The Advocate for the Applicant submitted that this case is maintainable. In the said circumstances, we had to hear the matter at length. Railway Protection Force is an Armed Force of the Union to which the Administrative Tribunals Act, 1985 does not apply and, therefore, this Original Application is not maintainable, as has been decided in ~~anuppteen~~ number of cases as reported in 1988 Labour IC 1076 (DB) of Guwahati and 1987 Labour IC 746 (DB) Gujarat.

2. Since the Railway Protection Force is not amenable to the jurisdiction of this Tribunal, the case is dismissed as not maintainable. No costs.


(M. P. SINGH)
MEMBER (ADMINISTRATIVE)


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL) 11/03/2002

KNM/CM.