

O.A.NO.175 OF 2002

ORDER DATED 9-12-2002.

On repeated calls none appeared on behalf of the Applicant; nor the Applicant was present in person. However, Mr. S. B. Jena, learned Additional Standing Counsel for the Union of India, appearing for the Respondents was present and I have heard him.

He has brought to my notice Sec. 2(a) of the Administrative Tribunals Act, 1985; by virtue of which this application is not maintainable before this Tribunal. The fact of the matter is that the applicant was appointed as Naik in Bengal Engineer Group and started his career from 21st February, 1984. He was discharged from active service w.e.f. 1.3.2001 on completion of 17 years of service. I have also perused Annexure-1 to the Original Application which is a certificate issued by the ~~Mr. Capt.~~ ^{2.} Company 2 IC, 73 Field Company, 57 Engineer Regiment sending the applicant to the Record Office Roorkee for discharge from service. In view of these facts I am inclined to agree with the contention of the learned Additional Standing Counsel Mr. Jena that the instant application is not maintainable before this Tribunal and hence the same is disposed of as not being maintainable. No costs.

Copy of order dt. 9/12/02
issued to Counsel
for both side.

[Signature]
S. B. Jena

[Signature]
(B.N. SOM)
vice-chairman 9/11

[Signature]
11/12/02