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O.A. No.384/2011

ORDER DATED 28th JUNE, 2011

K.G.K. Murthy Applicant

Vrs.

Union of India & Others Respondents

Coram:

HON'BLE MR. A.K. PATNAIK, MEMBER JUDL.

Heard Sri U.K. Patnaik, Ld. Counsel appearing for the applicant and Sri S.K. Ojha, Ld. Standing Counsel for the Respondents on the question of admission.

2. In this Original Application the applicant has sought for the following relief:-

"...To direct the Respondents No.2 & 3 to release the DCRG and other financial benefits to the applicant within a stipulated period of time.

To direct the Respondents to pay interest @ 10% per annum with cumulative effect till payment of principal amount of Rs.4,23,184/- from 01.04.2004."

3. Upon perusal of Records, it reveals from the record that the applicant is a retired Railway employee at present residing at Visakhapatnam (A.P.). It further reveals that the sole grievance of the applicant rests upon Respondent No.3 i.e., Deputy Financial Adviser & Chief Account Officer, East Coast Railway, Visakhapatnam (A.P.). On the question of maintainability, I have gone through Rule 6 of CAT (Procedure) Rules, 1987 and I find that no cause of action wholly or in part

has arisen against Respondent No.2, who is stationed at Andhra Pradesh. Besides, Sub Rule 2 of Rule 6 reads as under:-

“ Notwithstanding anything contained in sub-rule (1), a person who has ceased to be in service by reason of retirement, dismissal or termination of service may at his option file an application with the Registrar of the Bench within whose jurisdiction such person is ordinarily residing at the time of filing of the application.”

4. Having regard to Rule 6 i.e, place of filing application as quoted above, I am convenience that this Bench has no jurisdiction to entertain the present O.A. as the cause of action for approaching the Tribunal by the applicant lies elsewhere.

5. In view of this, the O.A. is dismissed not being maintainable.

W. K. B.
MEMBER JUDL.