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Admission No.4

Advocate(s) - Mr. P.K. Chand

Advocate(s) - Mr. T. Rath.

OA No. 124 of 2013

ORDER dated 18th March, 2013.

CORAM

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

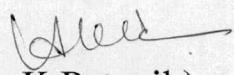
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Having heard Mr.P.K.Chand, Learned Counsel appearing for the Applicants and Mr. T.Rath, Learned Standing Counsel appearing for the Respondent-Railway, perused the records.

2. Mr.T.Rath, Learned Standing Counsel for the Respondents vehemently opposed the maintainability of this OA before this Bench of the Tribunal on the ground that both the applicants are working at Visakhapatnam the order under challenged has also been passed by the authority stationed at Visakhapatnam and they have made the representations to the authority stationed at Visakhapatnam. Mr. P.K.Chand's contention is that as Respondent Nos. 1 to 3 are at Bhubaneswar this OA is maintainable before this Bench of the Tribunal. But I am not impressed by the contention of Mr. Chand, Learned Counsel for the Applicants for the simple reason that only because Respondent Nos. 1 to 3 are

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having the office at Odisha this OA is maintainable in this Bench of the Tribunal. The cause of action in this OA arose at Visakhapatnam and the order under challenge has also been passed by the authority stationed at Visakhapatnam and the applicants made representation to the authority at Visakhapatnam. In view of the above, without going to the merit of the matter this OA is dismissed being lack of jurisdiction by granting liberty to the applicants to approach before appropriate Bench having jurisdiction to entertain this OA. In view of the above MA No.193 of 2013 filed by the applicants seeking permission to prosecute this OA jointly also stands dismissed. There shall be no order as to costs.


(A.K. Patnaik)
Member (Judicial)