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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH

Date of Order 8.12.1995.

O.A. No. 508/1995.

Union of India & Another

....Applicants.

Vs.

Bhanwar Lal and Another

...Respondents.

CORAM: HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN.
HON'BLE MS. USHA SEN, ADMINISTRATIVE MEMBER.

For the applicant - Mr. S.S. Vyas, advocate.

O R D E R (ORAL)

(Hon'ble Mr. Gopal Krishna, Vice Chairman)

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Applicants, Union of India and the Divisional Railway Manager, Northern Railway, Jodhpur have filed this Application under Section 19 of the Administrative Tribunals Act, 1985, (for short the Act) praying therein that the order of the Industrial Tribunal-cum-Labour Court, Jodhpur dated 27.4.1995 may be declared illegal/^{perverse} and arbitrary and the same may be quashed. It has also been prayed that the Respondent No. 2 be directed not to take any action in pursuance of the impugned decision at Annexure A/1.

2. We have heard the learned counsel for the applicants and have gone through the records of the case carefully.

3. It must be noted at the very outset that in Petition for Special Leave to Appeal (Civil No.20141/95) from the judgment and order dated 15.9.95 of this Bench of the Tribunal in O.A. No. 345/92 Divl. Personnel Officer Vs. Central Indl. Tribunal Jaipur & ors, the Hon'ble Supreme Court on 6.11.95 made

the following order:-

"This Court in Krishna Prasad Gupta Vs. Controller, Printing & Stationery J.T. 1995 (7) SC 522 has held that the Central Administrative Tribunal has no jurisdiction to entertain an application under Section 19 of the Administrative Tribunals Act against the award/order of the Labour Courts. In this case the award of the industrial tribunal is in favour of the respondent - workman. The award has been upheld by the Tribunal. Although, the tribunal had no jurisdiction to entertain the application against the award of the industrial tribunal since the same has been upheld, we are not inclined to interfere. The SLP is dismissed."

5. In view of the decision referred to above, we hold that this Tribunal has no jurisdiction to entertain this Application under Section 19 of the Act.

6. In the result, this Application is rejected. We direct that the Application/papers shall be returned to the applicants for seeking remedy before an appropriate legal forum.

Usha Sen
(USHA SEN)
ADMINISTRATIVE MEMBER

Gopal Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

"MS"