

I/6

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR.**

Original Application No. 215/2005 *A/W M.A. No. 95/2005*
al

Date of order: 14.02.2006

CORAM:

HON'BLE MR. J.K. KAUSHIK, JUDICIAL MEMBER

Navneet Kumar Purohit @ Navneet Kumar Rajpurohit S/o Shri Hari Singh Ji Rajpurohit, aged about 45 years, R/o Chandpol Chowk, Jodhpur. Official Inspector of Police in the office of Addl. S.P. CID (BI), Jaisalmer.

....Applicant.

Mr. Kamal Dave, counsel for the applicant.

VERSUS

1. The Union of India through - The Secretary, Ministry of Personnel, Public Grievance and Pension Department of Personnel Training, Government of India, New Delhi.
2. Director, Central Bureau of Investigation, (CBI) Administrative Division, C.G.O. Complex, Block No. 3, Lodhi Road, New Delhi - 110003.
3. Dy. Inspector General of Police, CBI, Jaipur Region, 1, Tilak Marg, 'C' Scheme, Jaipur.
4. Superintendent of Police, C.B.I., Jodhpur

ORDER

Shri Navneet Kumar Purohit @ Navneet Kumar Rajpurohit has filed this Original Application under Section 19 of the Administrative Tribunals Act, assailing the orders dated 12/13.6.2001 (Annexure A/1) dated 10.4.2002 (Annexure A/2) and dated 14.6.2004 (Annexure A/3) and has sought for quashing and setting aside the same, amongst other reliefs.

2. The case came up for admission on number of occasions and the Court expressed its doubt regarding maintainability of this O.A. before this Bench of the Tribunal due to inherent lack of jurisdiction. Today, the case was heard on admission.

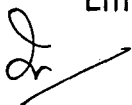
Dr

I/7

3. The brief facts of this case are that the applicant came to be initially appointed as A.S.I. in Rajasthan Police Service in the month of March 1983. Thereafter he was promoted as Sub-Inspector in the month of March 1986. He served the Central Bureau of Investigation, w.e.f. 5th October 1984 till 01.03.2001 on deputation. He was communicated certain adverse entries in his Confidential Reports during the said deputation period against which he made representations also; but the same were not considered by the authorities. Therefore, he has filed the present application for expunging the said adverse entries.

4. The learned counsel for the applicant has submitted that since the cause of action had arisen during the period when the applicant was working in the affairs of Union of India on deputation and as per Section 14 of the Administrative Tribunals Act, this Tribunal has jurisdiction to adjudicate upon the matter.

5. I have considered the submissions put forth by the learned counsel for the applicant. Admittedly, at present, the applicant is not holding in any civil post under the Union or any post connected with service of Union. His services are also not placed at the disposal of Central Government and his case, therefore, does not fall within the parameters of Section 14 of the Administrative Tribunals Act. I take judicial notice of the Full Bench judgement of this Tribunal at Jaipur Bench in case of **B.N. Sharma etc. etc. vs. Union of India and ors.**, reported in 2004(2) ATJ page 11, in which I was one of the party to the order. In that case, the basic question involved was regarding the jurisdiction of service matters in respect of the Central Government Employees who had been absorbed in Bharat Sanchar Nigam Limited



(for short, B.S.N.L.) and the cause of action related to a prior period to their absorption of such employees in B.S.N.L. The Full Bench was pleased to hold that the Tribunal would not have jurisdiction in such matters until a notification under Sub-Section (2) to Section 14 is issued. In the instant case, no such notification has been issued, thus, the ratio laid down by the Full Bench squarely covers the controversy involved in the instant case on all fours and I have absolutely no hesitation in applying the said decision to the facts of the instant case; rather I am bound by the ratio of the same.

6. In the premises, this Original Application cannot be entertained for want of jurisdiction and the same stands dismissed for want of jurisdiction. It is scarcely necessary to mention that this order shall not come in the way of applicant in approaching the appropriate forum that may be available to him for redressal of his grievances. The original records of the case may be returned to the applicant in case a specific written request is made to this effect as per the rules.


(J K KAUSHIK)
JUDICIAL MEMBER

Kumawat

Part I, and II destroyed
to the effect of the supervision of
as per
31/01/14
Station Officer (Records)
3/4/14

Recd Copy
1/2/2101

Copy of order, OATMA Petition
with annexure sent to

R/ + R/4 by Speed post

Regd AD vide N- 19 6

22 dt 24/2/06