

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

ORIGINAL APPLICATION NO. 27/2006

DATE OF ORDER: 13.07.2007

CORAM:

HON'BLE MR. KULDIP SINGH, VICE CHAIRMAN
HON'BLE MR. TARSEM LAL, ADMINISTRATIVE MEMBER

Abdul Daud Sama S/o Shri Daud, Aged about 40 years, working as Gangman under Permanent Way Inspector, Western Railway, Bhuj, Gujrat. Applicant lien fixed under C.P.W.I., North-Western Railway, Sojat Road, Pali, Resident of C.T./ 8-B, Railway Colony Old, Bhuj.

...Applicant.

Mr. Y.K. Sharma, counsel for applicant.

VERSUS

The Union of India, through
1. The General Manager, North-Western Railway, Jaipur.
2. The Divisional Personnel Officer, North-Western Railway, Ajmer.
3. The Divisional Personnel Officer, Western Railway, Ahmedabad.

.....Respondents.

Mr. Salil Trivedi, counsel for respondents No. 1 & 2.

Mr. Manoj Bhandari, counsel for respondent No. 3.

ORDER (Oral)

[per Hon'ble Mr. Kuldip Singh, Vice Chairman]

Heard learned counsel for the parties.

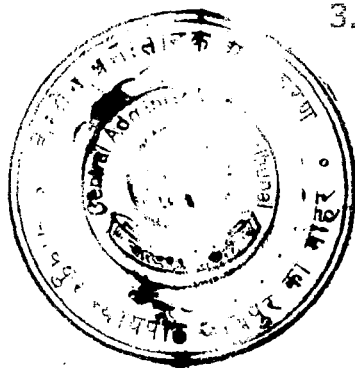
The applicant has filed this Original Application regarding protection of his pay which he was drawing on the post of Carpenter in Construction Department.

2. The respondents have taken a preliminary objection that this Tribunal has no territorial jurisdiction to entertain this O.A. since the applicant is working in Gandhi Dham which falls

[Signature]



under Ahmedabad Division of Western Railway. The cause of action wholly had arisen at Ahmedabad Division itself. The learned counsel for the respondents submitted that the applicant has also claimed the relief against the orders of Western Railway only and not against the North-Western Railway. We find that the respondent No. 3 i.e. Western Railway has also filed reply annexing the order R/1 which also shows that all orders in respect of the applicant has been passed by the Western Railway at Ahmedabad.

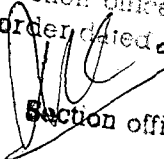


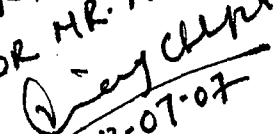
3. Having regard to these circumstances, we find that since the applicant is posted at Gandhi Dham within the region of Ahmedabad Division under Western Railway, the cause of action had arisen wholly at Ahmedabad under Western Railway. Thus, this Bench of the Tribunal has no territorial jurisdiction to entertain and decide this O.A. Therefore, in view of the above, the Registry is directed to return this O.A. to the applicant for seeking redressal of his grievances before appropriate Bench of the Tribunal. The O.A. stands disposed of accordingly.

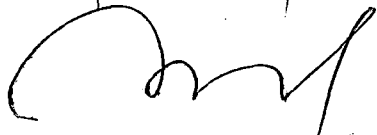
Tarsem Lal
(Tarsem Lal)
Administrative Member


Kuldip Singh
(Kuldip Singh)
Vice Chairman

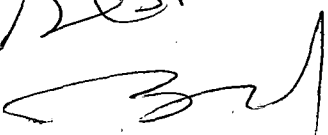
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Part II and III destroyed
in my presence on 04-6-14
under the supervision of
section officer (I) as per
order dated 26-7-14

Section officer (Record)

R/C
FOR MR. MANOJ BHANDAR

18-07-07

R/COPY

03/8/07

3/8/07


Received O.A. as per
as reply dated 31/7/07
Respondent

31/8/07