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**CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR**

ORIGINAL APPLICATION NO. 35/2007

Date of order: 07.03.2007

CORAM:

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

Jagdish Prasad son of Mathura Lal Shringi, aged about 47 years, resident of GR No. 30-A, Heavy Water Plant Kota, residential colony, Rawatbhatta, District Chittor Garh.

At present SA/F (Scientific Assistant Grade F), Atomic Energy, Heavy Water Board, Rawat Bhata, Via Kota.

...Applicant.

Mr. Vinod Kumar Sharma, counsel for applicant.

VERSUS

1. Union of India, through its President of Atomic Energy, Heavy Water Board, V.S. Bhawan, Anushakti Nagar, Mumbai.
2. The Assistant Personnel Officer, Heavy Water Plant Kota, Heavy Water Board, Mumbai.
3. Mr. D.S. Shukla, Chairman, SO/D Committee, Cell-II, BARC Mumbai.
4. The Assistant Personnel Officer (Works Engineer), Bhabha Atomic Research Centre, Heavy Water Project, Anushakti Kota Rajasthan.
5. Mr. R.N. Kasotia at present SO/D Production, Heavy Water Plant Kota, Resident Colony, Rawatbhatta, District Chittor Garh.

...Respondents.

ORDER

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

The applicant has filed this Original Application without challenging any impugned order whereas as per Section 19 of the Administrative Tribunals Act, 1985, an application is to be filed against any of the impugned order for the redressal of his grievance. The section 19 of the Administrative Tribunals Act, 1985, is reproduced as below:-

"19. Applications to Tribunals.- (1) Subject to the other provisions of this Act, a person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an

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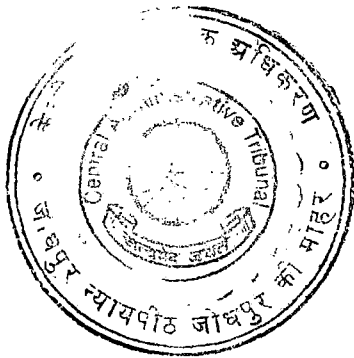
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application to the Tribunal for the redressal of his grievance.
 (Emphasis supplied).

EXPLANATION. - For the purposes of this sub-section, "order" means an order made-

- (a) by the Government or a local or other authority within the territory of India or under the control of the Government of India or by any corporation [or society] owned or controlled by the Government; or
- (b) by an officer, committee or other body or agency of the Government or a local or other authority or corporation [or society] referred to in Clause (a).

(2) Every application under sub-section (1) shall be in such form and be accompanied by such documents or other evidence and by such fee (if any, not exceeding one hundred rupees) [in respect of the filing of such application and by such other fees for the service or execution of processes, as may be prescribed by the Central Government].



(3) On receipt of an application under sub-section (1), the Tribunal shall, if satisfied after such inquiry as it may deem necessary, that the application is a fit case for adjudication or trial by it, admit such application; but where the Tribunal is not so satisfied, it may summarily reject the application after recording its reasons.]

(4) Where an application has been admitted by a Tribunal under sub-section (3), every proceeding under the relevant service rules as to redressal of grievances in relation to the subject-matter of such application pending immediately before such admission shall abate and save as otherwise directed by the Tribunal, no appeal or representation in relation to such matter shall thereafter be entertained under such rules."

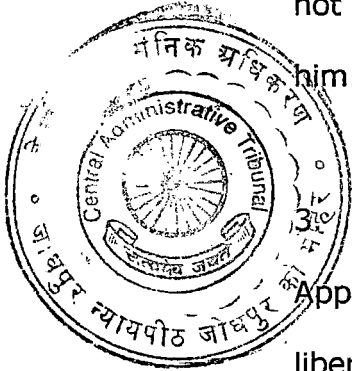
2. From the sub-section (1) of Section 19, it is clear that any person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for redressal of his grievance. But in the instant case, the applicant has

for

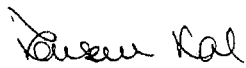
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not placed on record any order, which may give a cause of action to him.



Hence we are of the considered opinion that the present Original Application is liable to be dismissed. However, the applicant is given liberty to approach the department by making a comprehensive representation of his grievance. The Original Application is dismissed accordingly. No costs.


[Tarsem Lal]
Administrative Member


[Kuldip Singh]
Vice Chairman

/Kumawat/

Copy of order of 7.3.07 along with
copy of O.A with Annex send
to R-1 to R-5 By Regd. Speed Post
vide ~~no~~ no 346038
of 8.3.07

Received Copy

13/3/07

(Vineet Kumar Sharma)

Part II and III destroyed
in my presence on 02-6-14
under the supervision of
section officer () as per
order dated 26.7.2014.

Section officer (Record)