

THE CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH

ORIGINAL APPLICATION NO. ____ (D 51/2007).

Date of decision: 25.01.2007.

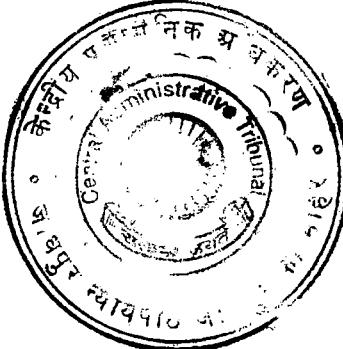
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Hon'ble Mr. J K Kaushik, Judicial Member.
Hon'ble Mr. R R Bhandari, Administrative Member.

Netrapal Singh, Jamadar aged about 40 years Resident of Block No. 310, Servant Headquarters, Airforce Officers Colony, Ex Deliveryman, Air Force Station, Suratgurt.

.....Applicant.

By Mr. Manoj Bhandari, Advocate, for the applicant.

VERSUS



1. The Union of India through the Secretary, Ministry of Defence, Raksha Bhawan, New Delhi.
2. The Air Officer Commanding, C/O 56 APO.
3. The Flight Lt.C.O O/IC Gas Agency, 35 Wing, Air Force, C/O 56 APO
4. Group Captain, Stn. Commdant. 35 Wing Air Force, 56 APO

.....Respondents.

ORDER

[BY J. K. KAUSHIK, JUDICIAL MEMBER]

We have heard learned counsel for the applicant regarding jurisdiction of this Tribunal over the issue involved in this case, as a specific objection has been taken by the Registry. Learned counsel for the applicant has submitted that the applicant has been engaged by the Air Force authorities as a Deliveryman to work in the Air Force Gas Agency. He has been issued with a Pass and has been working for quite some time. He has also submitted that the complete control over the Gas Agency is that of the respondents,

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therefore, the applicant is the employee of the respondents' department and engaged in the affairs of the Union as envisaged under Section 14 of the Administrative Tribunals Act, 1985, and as such the subject matter involved in this O.A. will fall within the jurisdiction vested in this Tribunal.

2. We have considered the submissions put-forth on behalf of the applicant and find that the applicant is engaged in a Gas Agency which is perhaps situated in the Air Force Area. A Gas Agency is involved only in distribution of gas cylinders to the consumers. This facility is not covered either under the terms and conditions of the employees of the respondent-department nor is it an obligation on the part of the respondents to provide such facility etc. The Licence for the facility is also given by the private Companies and merely because a gas agency is established for the facility of the employees stationed within the campus, would not bring the case of the applicant within the jurisdiction of this Bench of the Tribunal.

3. In view of above, we are of considered opinion that this Bench of the Tribunal is not having jurisdiction to entertain this Original Application and the registration of the same is declined. The Paper Book along with the Documents annexed thereto, may be returned to the applicant in accordance with the rules in force.

R.R. Bhandari
(R.R Bhandari)
Administrative Member

J K Kaushik
(J K Kaushik)
Judicial Member.

jrm

11/11/14
Copy
11/11/14

Received copy of order, with extra section
Rajiv Chandra
11/11/14
for SH. MANOJ BHANDARI

Part II and III destroyed
in my presence on 26/3/14
under the supervision of
Section Officer ()
order dated 26/3/14
Section Officer