

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

O.A.No. 445/2003

Lucknow this the 4th day of Nov. 2003.

HON. SHRI S.P. ARYA, MEMBER(A)

Umesh Kumar Srivastava,
aged about 34 years, son of
late Virendra Vikram Srivastava
resident of 13, Anand Vihar
Sector 11, Near Takrohi,
Lucknow.

Applicant.

By Advocate Shri M.A. Siddiqui

versus

1. Union of India through
Secretary, Railway Board
New Delhi.

2. The General Manager,
North Eastern Railway,
Gorakhpur.

3. The D.R.M.
North Eastern Railway,
Ashok Marg,
Lucknow.

Respondents

By Advocate Shri Pravin Kumar Brief Holder for Shri M.K.
Singh.

O R D E R

As per Hon. S.P. Arya, Member(A)

The applicant was appointed temporary Chowkidar/ Part time Librarian by Secretary, Poorvuttar Railway Manoranjan Sansthan Badshahnagar, Lucknow. The Chairman of the said Sansthan has also written to the applicant that the post of adhoc part time honorary Librarian is temporary and honorary and the applicant could be removed from service without notice at any time. The applicant has sought for direction to the respondents to decide his representation and regularise his services.

2. The respondents have stated that the applicant was appointed by Poorvuttar Railway Manoranjan Sansthan and he is not a railway employee and as such the application is not maintainable. Poorvuttar Railway Manoranjan Sansthan has not been impleaded as respondents, therefore, the O.A. deserves to be dismissed even on the ground of non -joinder of necessary party. They have also contended that the present O.A. is barred by limitation.

3. I have heard the learned counsel for the parties and perused the pleadings on record.

4. It is true that the applicant was appointed by Secretary Poorvuttar Railway Manoranjan Sansthan, Badshahnagar, Lucknow. He thus, became the employee of the Sansthan and not of the Railway. Poorvuttar Railway Manoranjan Sansthan has not been notified under section 14(2) of the Administrative Tribunals Act, 1985 and as such the orders of the Tribunal are not binding on the Sansthan. The Tribunal has no jurisdiction to entertain the present O.A.

5. In the result, the O.A. is not maintainable and is, therefore, dismissed. No orders as to costs.

24218

Member(A)