

Central Administrative Tribunal,
Circuit Bench, Lucknow.

O.A No. 130 of 1991.

Abhinash Chand Srivastava

Applicant.

Versus.

Union Of India & Others

Respondents.

Date 25.4.91.

Hon'ble Mr. D.K. Agarwala, J.M.

Hon'ble Mr. K. Obayya, A.M.

The application under section 19 of the Administrative Tribunals Act 1985 has been filed against the suspension order dated 12.4.91 served on the applicant on 15.4.91 at Allahabad.

2. The facts are that the applicant was posted as Carpet Training Officer at Allahabad and Transferred to Seondha, District Datiya (M.P) vide order dated 11.3.91, served on the applicant on 18.3.91. The transfer order was challenged vide O.A No. 307/91. The said petition was dismissed vide judgment dated 12.4.91.

3. The applicant has challenged the suspension order and sought an interim relief for staying the operation of suspension order.

4. We have not gone into the merits of the case on account of lack of jurisdiction of Circuit Bench, Lucknow to entertain this petition. The applicant was last posted at Allahabad and his present posting is at Seondha District Datiya (M.P). Therefore the place of posting within the meaning of Rule 6 of the Administrative Tribunals Act is Seondha, District Datiya (M.P). As such, ordinarily the application has to be filed at the place of posting of a government servant. However, it was contended that since the order was served at the residence of the applicant at Allahabad, cause of action arose at Allahabad. It may be so. We have not gone into that question. However, it remains a fact that Circuit Bench, Lucknow is exercising jurisdiction in respect of Districts of over

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the jurisdiction of Lucknow Bench of Allahabad High Court extends. In the circumstances, the applicant has to choose the forum and take back the petition if so desired to present it before the Bench having the jurisdiction.



A.M.

J.M

.... True Copy

m.p.

M.C.
Section Officer
Central Administrative Tribunal
Circuit Bench
LUCKNOW

Checked by