

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

LUCKNOW

Lucknow this the 8th day of June, 99.

O.A. No. 661/92

HON. MR. D.C. VERMA, MEMBER(J)

HON. MR.A.K. MISRA, MEMBER(A)

Phool Chand aged about 29 years, son of
Shri Ram Sagar Kori, resident of C/o Dr.
Mahendra Singh, 116 B, Faizabad Road, Lucknow.

Applicant.

By Advocate Shri R.S. Gupta.

versus

1. Union of India through Secretary, Ministry of Communication, New Delhi.
2. Director, Postal Services, O/O Chief P.M.G. Lucknow.
3. Senior Supdt. of Post Offices, Lucknow Division, Lucknow.
4. Senior Postmaster, Chowk Head Post office, Lucknow.
5. Presiding Officer, Central Govt. Industrial Tribunal, cum Labour Court, Pandu Nagar, Kanpur.

Respondents.

By Advocate Dr Dinesh Chandra.

ORDER

D.C. VERMA, MEMBER(J)

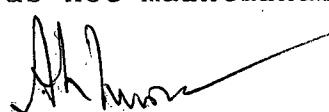
The relief claimed in this O.A. is to quash the order dated 13.7.89 and the findings dated 2.9.92 passed by Senior Post Master, Chowk Head Post office, Lucknow and the Presiding Officer, Central Government Industrial Tribunal cum Labour Court Pandu Nagar, Kanpur respectively. A further prayer is to declare the applicant to be in continuous service as E.D. employee from 13.7.89 with all consequential benefits. Damages have also been claimed.

2. The order dated 13.7.89 (Anneuxre A-1 to

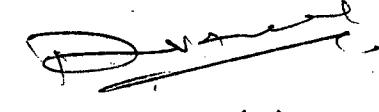


the O.A.) was challenged by the applicant before the Central Government Industrial Tribunal-cum-Labour Court Kanpur (In short Industrial Tribunal). The Industrial Tribunal gave an award on 2.9.92. A copy of the said award is Annexure-2 to the O.A. In this O.A. both the Annexures A-1 and A-2 have been impugned by the applicant.

3. In view of the decision of the apex court in the case of K.P. Gupta vs. Controller, Printing and Stationery (1996 S.C.C. (L&S) 264) now it is an established law that the award of Industrial Tribunal, cannot be challenged before the Central Administrative Tribunal. As the main relief is quashing of the award of the Industrial Tribunal, the O.A. is not maintainable. The O.A. is accordingly dismissed as not maintainable.



MEMBER(A)



MEMBER(J)

Lucknow; Dated: 01-6-99

Shakeel/