

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY.

Tr. Application No. 36/1987.

Shri N.L. Pawar

.. Applicant.

V/s

The Union of India through
The General Manager,
Central Railway,
Bombay V.T.

.. Respondent.

Coram: Hon'ble Vice-chairman B.C. Gadgil

Hon'ble Member (A) J.G. Rajadhyaksha

Order (Per Vice-chairman B.C. Gadgil) Dated: 27.3.1987.

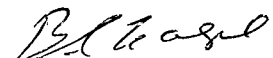
Regular Civil Suit No. 391/1978 on the file of Civil Judge, Senior Division, Solapur has been transferred to this Tribunal.

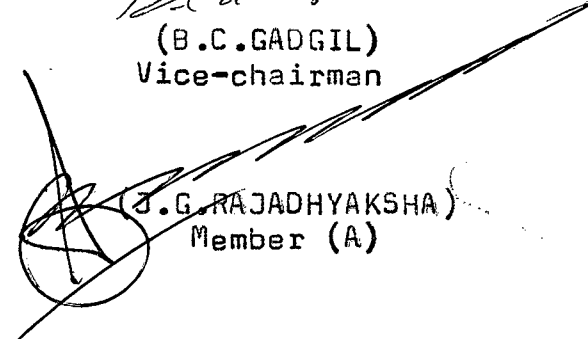
Notice was issued to the applicant and the applicant's advocate for hearing the question as to whether this Tribunal has jurisdiction. None appeared for the applicant.

A perusal of the plaint shows that the applicant was a rakshak of Railway Protection Force and the dispute is in connection with that service. The said dispute was filed in the above Civil Court.

It is not in dispute that Railway Protection Force is an 'Armed Force' of the Union and consequently this Tribunal will have no jurisdiction in view of Section 2(a) of the Administrative Tribunals Act, 1985. The suit will have, therefore, to be re-transferred to the Civil Court.

The Regular Civil Suit No. 391 of 1978 on the file of Civil Judge, Senior Division, Solapur is re-transferred to that Court for disposal according to Law. The Records and Proceedings of the Suit along with a copy of this order should be sent to the Civil Court. However, the original order should be retained in our file.


(B.C. GADGIL)
Vice-chairman


(J.G. RAJADHYAKSHA)
Member (A)

Submitted to the Registrar through the Dy. Registrar.

The Tr. Appln. No. 36/87, has been decided on 27.3.87. In this application, notice dt. 27.2.1987 has been unserved on the applicants given address, whereas the notice has been served on the applicants advocate address.

Put up for orders on which address the final order to be issued.

Sd/-
8/4/87
We may request the office of Genl. Mgr C. Rly Bombay to serve the said copy of the order of Tribunal on the applicant, at his correct address

Done
15/4/87

Dy. Reg.

As the applicant had left overstake he might have returned back. Make ~~an attempt~~ an attempt to send the order at the present address.

The letter sending the R & P is to be signed by the Registrar kindly get the signature.

For Par
5/5/87