

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
 NEW DELHI  
 NEW BOMBAY BENCH

XXXXXX  
 T.A. No. 498/87

198

DATE OF DECISION 10.6.1988

Shri Rajamma Jose

Petitioner

Advocate for the Petitioner(s)

Versus

Union of India & Ors.

Respondent

Shri Kakalia

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. J.G.Rajadhyaksha, Member (A)

The Hon'ble Mr. M.B.Mujumdar, Member (J).

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *2*
3. Whether their Lordships wish to see the fair copy of the Judgement? *3*
4. Whether it needs to be circulated to other Benches of the Tribunal? *4*

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

Tr. Application No.498/87.

Smt. Rajamma Jose,  
Quarter No.6,  
Opp. to Ram Mandir,  
Kirkee,  
Pune - 411 003.

... Applicant

V/s.

1. The Union of India through  
The Secretary,  
Ministry of Defence,  
Govt. of India,  
New Delhi.

2. The General Officer,  
Commanding-in-chief,  
Southern Command,  
Poona.411 003.

3. Kirkee Cantonment Board  
through The Cantonment  
Executive Officer,  
Kirkee,  
Poona - 411 003.

... Respondents.

Coram: Hon'ble Member(A), Shri J.G.Rajadhyaksha,  
Hon'ble Member(J), Shri M.B.Mujumdar.

Oral Judgment:

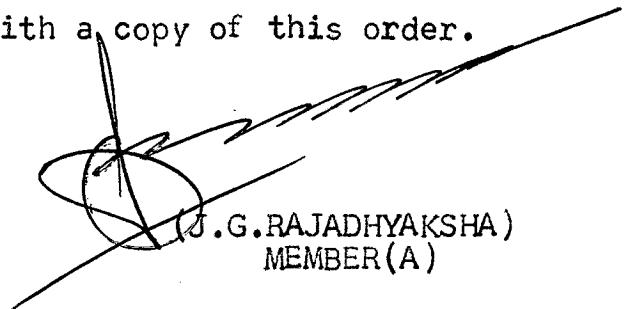
(Per Shri J.G.Rajadhyaksha, Member(A)) Dated: 10.6.1988

We have heard the applicant in person and Mr.Kakalia for Respondent No.3. Both the parties have agreed that since the service dispute pertains to the Cantonment Board, Kirkee and since Cantonment Board have not been notified under section 14(2) of the Administrative Tribunals Act this Tribunal will have no jurisdiction to adjudicate upon this dispute. They therefore, unitedly request that the matter be re-transferred to the High Court from which Writ Petition No.2773/85 was transferred to this Tribunal as it was a service dispute.

2. Mr. Kakalia <sup>has</sup> also brought to our notice a directive issued by the Raksha Mantri <sup>Rakshamantri</sup> to the Directors of Defence Estates pointing out that Central Administrative Tribunal, Jabalpur have decided that in the absence of notification, the Tribunal will have no jurisdiction to entertain applications pertaining to disputes between Cantonment Boards and their employees.

3. In view of this communication and the joint request of the applicant and Respondent No.3, we hold that we have no jurisdiction and the matter should be re-transferred to the High Court of Judicature at Bombay for disposal.

4. The records and proceedings may be re-transferred to the High Court with a copy of this order.

  
(J.G. RAJADHYAKSHA)  
MEMBER (A)

  
(M.B. MUJUMDAR)  
MEMBER (J).