

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY 400 614

CAMP AT NAGPUR

Tr.A.NO. 262/87

Shri Kishore Mahadeo Barve & others. ... Applicants  
v/s.

Coal India Limited, Calcutta & others. ... Respondents

CORAM: Hon'ble Member (J) Shri M.B.Mujumdar  
Hon'ble Member (A) Shri M.Y.Priolkar

Tribunal's Order

Dated: 16.3.1989

The applicants who were in service of Respondent No.3 had filed Writ Petition No.617/83 in the Nagpur Bench of the Bombay High Court and it is transferred to this Tribunal under Section 29 of the Administrative Tribunals Act, 1985.

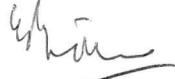
2. In the Writ Petition the applicants have prayed for directing the respondents to prepare a common seniority list, discipline wise for Grade E-1 and above in the discipline of mining in respect of the respondents-companies. They have also prayed for consequential reliefs including promotions.

3. Respondent No.1, Coal India Limited is a company registered under Companies' Act and Respondents Nos. 2 to 6 are its subsidiary companies. As they are not notified under Section 14 (2) of the Administrative Tribunals' Act, we had issued notices to all the parties to show-cause as to how this Tribunal will have jurisdiction to decide this Writ Petition.

4. Today the applicants have filed an application stating that this Tribunal will have no jurisdiction to decide the Writ Petition. That application be numbered as a Misc. Petition.

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5. We have heard Mr. Padhye, learned advocate for the applicants, Mr. S. G. Aney for respondent No. 1 and Mr. S. C. Meheria for respondent No. 3. All of them stated that this Tribunal has no jurisdiction to entertain and decide this petition because respondent No. 1 is not notified under Section 14 (2) of the Administrative Tribunals Act though it is entirely owned <sup>and</sup> ~~or~~ governed by the Central Government. Hence, we hold that this Tribunal will have no jurisdiction to decide this petition and hence direct that the petition alongwith the record be remitted back to the Nagpur Bench of the Bombay High Court.

  
(M.Y. Priolkar)  
Member (A)

  
(M.B. Mujumdar)  
Member (J)