

(7)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT SITTING AT NAGPUR, NAGPUR.

Review Petition No.16/88 in
Original Application No.144/88.

1. Shri C.R.Narberia,
2. Shri J.B.Kanfade,
3. Shri B.B.Kanfade,
4. Shri B.R.Chawre,
5. Shri D.A.Ambade,
6. Shri D.R.Latare, and
7. Shri A.R.Gedam, through
the Working President,
The All India P & T
Employees Federation, 62,
Old Subhedar Layout Extension,
Nagpur-440 024.

... Applicants

V/s.

1. The Postmaster General,
Maharashtra Circle, G.P.O.,
Compound, Bombay.400 001.
2. Shri Y.A.Khatke,
Postmaster,
G.P.O.,
Nagpur.
3. The Secretary to the Govt. of
India, Ministry of Communication,
Department of Posts,
Sanchar Bhavan,
New Delhi.110 001.

... Respondents.

Coram: Hon'ble Member(A), Shri L.H.A.Rego,
Hon'ble Member(J), Shri M.B.Mujumdar.

Oral Judgment:

(Per Shri M.B.Mujumdar, Member(J)) Dated: 8.8.1988

Heard ^{8/}Mr.A.S.Bhagat, learned advocate for the
applicants and ^{8/}Mr.Ramesh Darda, learned advocate for the
respondents. By an order passed on 14.4.1988 we had rejected
the application summarily as we have no jurisdiction to
entertain and decide this case.

2. Admittedly, the applicants who were the
employees of Co-operative Society named as Posts & Telegraphs
Staff Co-op. Society, G.P.O., Nagpur. The Society is reg-
istered under the Maharashtra State Co-operative Societies
Act and it is working in the premises of the G.P.O. at
Nagpur. By the order passed on 14.4.1988 this Tribunal
has held that as the society is not notified under section
14(2) of the Administrative Tribunal's Act, 1985, ^(Act for short) this
Tribunal will have no jurisdiction to entertain and decide
this case.

3. The applicants have filed this application for reviewing the above order.

4. Mr. Bhagat heavily relied on a notification dated 11th December, 1984 which says that the Government of India have taken a decision to treat with effect from 1st October, 1979 all posts in the canteen and Tiffin rooms run departmentally by the Government of India as posts in connection with the affairs of the Union. The notification further says that present and future incumbents of such posts would qualify as holders of Civil Posts under the Central Government. But this notification will not help the applicants because what is necessary for giving jurisdiction to this Tribunal is a notification under section 14(2) of the Act. Mr. Bhagat relied on Sub-section.3, that Sub-section 3 cannot be read ~~separately~~ because Sub-section.2 clearly says that the Central Government by notification, apply with effect from such date as may be specified in the notification the provisions of sub-section(3) to local or other authorities within the territory of India or under the control of the Government of India and to corporations (or society) owned or controlled by Government. There cannot be any doubt that the notification of which Mr. Bhagat has relied is not a notification under this sub-section(2). We therefore, find no ground, whatsoever, for reviewing the order passed on 14.4.1988. The Review Petition is therefore, rejected with no order as to costs.

(M.B. MUJUMDAR)
MEMBER (J)

(L.H.A. REGO) 2-2-928
MEMBER (A)