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

Transferred Application No. 188/86.

Shri Rajaram Ganpat (Chavan) Bhat
Cottage Hospital,
Karad,
Dist. - Satara.

..... Applicant.
(Original Plaintiff)

v/s

Union of India & Another.

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

2. The Officer in Charge,
D.S.C. Record,
Mill Road,
CANNANOUR (South India),
Kerala State - 670 013.

..... Respondents.
(Original Defendants)

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

Hon'ble Member J. G. Rajadhyaksha.

Appearances:

The applicant in person.

Oral Judgement:-

Dated:- 30.10.1986.

(Per Vice-Chairman B. C. Gadgil)

The Regular Civil Suit No. 290 of 1985
of the file of Civil Judge, Senior Division, Satara
is transferred to this Tribunal for a decision.

The Tribunal felt that it would be necessary
to hear the applicant in question as to whether the
transfer of the suit to this Tribunal is in order.
Accordingly, the applicant (Original Plaintiff) appeared
before us to-day.

It is not in dispute that the applicant was
a member of an Armed Force. He has a service dispute
in so far as the claim for pension, gratuity and other
retirement benefits arising from such services in the
Armed Forces are concerned.

In view of the provision of the Section 2 of the Administrative Tribunal's Act, 1985, the service matters of the ~~members~~ of the Armed Forces, ~~are~~ ~~not~~ not within the jurisdiction of the Tribunal. Consequently, it would be necessary to re-transfer the said suit to the Civil Judge, at Satara for decision.

The Regular Civil Suit No. 290 of 1985 of the file of Civil Judge, Senior Division, Satara (which was transferred to this Tribunal) should be re-transferred to the said Court for decision. The record of the Suit along with a copy of this order should be sent to the Civil Court.

B. C. Gadgil
(B. C. Gadgil)
Vice-Chairman.

J. G. Rajadhyaksha
(J. G. Rajadhyaksha)
Member.