

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

Tr. Application No.46/86.

Shri M.J.Parab,
Shankar Madhu Mhatre's Chawl,
Vishnu Nagar,
Kumbharkhan Pada,
Netaji Subhash Road,
Dombivli(W),
District Thane.

...Applicant (Original
Petitioner)

V/s.

1. Union of India,
Ministry of Railway,
New Delhi.
2. The General Manager,
Central Railway,
Victoria Terminus,
Bombay.400 001.
3. Rajinder Nath, the
Chief Security Officer,
Railway Protection Force,
Victoria Terminus,
Bombay.400 001.
4. G.L.Das,
Asstt. Security Officer,
BB(II), Office of ASOR, BB(II),
Railway Protection Force, Mulund,
Bombay.400 081.

...Respondents.

Coram: Vice-Chairman, B.C.Gadgil

Member J.G.Rajadhyaksha.

Appearance: Shri M.J.Parab,
in person

Respondents remained
absent.

JUDGMENT: (Per J.G.Rajadhyaksha, Member)

Dated: 30.6.1986.

Original Writ Petition No.2030 of 1985 filed in the High Court of Judicature at Bombay was transferred to this Tribunal. The applicant is a member of the Railway Protection Force and has some dispute about his service matters. It is, however, clear that the Railway Protection Force being an "Armed Force" disputes between its

members *and* the Government are not to be adjudicated by this Tribunal, *and* Admission hearing was, however, fixed for 23.6.1986. When the applicant appeared, he had not much to say on the point of jurisdiction.

2. It is seen, however, that the Railway Protection Force was brought under the term "Armed Force" by an amendment to the Railway Protection Force Act, 1957 effected in 1985 by Act No.60 of 1985, section 3 is clear on the issue. This takes the matter outside the jurisdiction of this Tribunal. It would therefore, be correct to re-transfer the matter to the High Court of Judicature at Bombay for disposal.

3. It is, therefore, hereby ordered that Tr.Application No.46 of 86 should be re-transferred to the High Court of Judicature at Bombay for disposal as it deems fit.

BC Gadgil

(B.C.GADGIL)
VICE-CHAIRMAN

J.G.Rajadhya
30.6.1986

(J.G.RAJADHYAKSHA)
MEMBER.

Received the copy of
Judgement on 20/6/86
M.J. Parab
(Sri M.J. Parab)