

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY

Application Stamp No. 207/86

Miss.Neelam Gopalmohan Vij .. Applicant
V/s

General Manager,
Western Railway,
Bombay .. Respondent

Coram: Vice-Chairman B.C.Gadgil
Member J.G.Rajadhyaksha

Appearance:

Shri G.K.Masand
for the applicant

Tribunal's Order: (Per B.C.Gadgil, Vice-Chairman) Date: 3-7-1986

The applicant who is a railway employee of the Western Railway has filed this application in connection with her service matter. She is posted at Valsad and the petition is filed before . Valsad is in the State of Gujarat. A separate bench for Gujarat state has started functioning from 30th June, 1986. The question is as to whether this Tribunal has jurisdiction to entertain the application. Rule 6 of the Central Administrative Tribunal (Procedure) Rules, 1985 reads as follows:-

"6. Place of filing applications - The application shall be filed by the applicant either with the Registrar of the additional Bench within whose jurisdiction the applicant is posted for the time being or with the Registrar of the Principal Bench"

It is not now in dispute that the applicant is working at Valsad and as such she is posted for the time being at that place. Mr.Masadd, however, contended that the appointment of the applicant was issued by the Divisional Office at Bombay and in that background the applicant can be treated as a person posted at Bombay for the time being. We are not much impressed by this submission.

The words "posted for the time being" in Rule 6 clearly shows that it is not the appointment order but it is the place where the applicant is serving that is material. In this background, we held that this Tribunal would have no jurisdiction. The application should be returned to the applicant or her advocate after retaining a copy of it. This order should be kept along with the copy and a copy of the order should be given to the applicant along with ^{The main} application.

B.C.Gadgil

(B.C.GADGIL)
Vice-Chairman

J.G.Rajadhyaaksha

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(J.G.RAJADHYAKSHA)
Member