

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

No:CAT/BOM/Stamp No.(N)/309/89

(3)

Shri Laxman Mahadeo Bhowate,
Quarter No.17,
Coalfield Quarters,
Hawal Mahal, Tekadi
Tahsil Parseoni,
Dist. Nagpur.

.. Applicant

vs.

1. The Western Coal Field Ltd.,
(Coal Estate)
through The Manager,
Head Office Seminary Hills,
Nagpur.
2. The Sub Area Manager,
Western Coal Fields,
Branch Kamptee Colliery
(Coal Field)
Tahsil Kamptee,
Dist.Nagpur.
3. Superintendent of Mines/C.M.
Kamptee Colliery, Kamptee,
Tahsil Kamptee,
Dist.Nagpur.

.. Respondents

Coram: Hon'ble Member(J) Shri M.B.Mujumdar
Hon'ble Member(A) Shri P.S.Chaudhuri

Appearances:

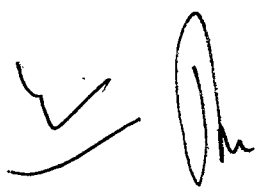
1. Shri C.K.Sukhadeve,
Advocate for the
Applicant.
2. Shri D.L.Dharmadhikari,
Advocate for the
Respondents.

ORAL JUDGEMENT
(Per M.B.Mujumdar, Member(J))

Date: 9.6.1989

The applicant is serving with the Kamptee Colliery of the Western Coal Fields Ltd., which is a subsidiary of Coal India Ltd., as a Haulage Khalasi. His birth date recorded in the service book is 1.7.1929, while according to the applicant his correct birth date is 15.12.1934. On the basis of the birth date recorded in the service book the respondents have issued a letter dtd. 7.4.1989 informing him that he has to retire from service on 1.7.1989 on attaining the age of 60 years.

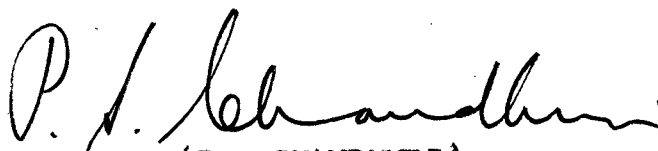
..2/-




2. The applicant has filed this application for correcting his birth date recorded in the service book and for directing the respondents to retain him in their service by treating his birth date as 15.12.1934.

3. As there was a doubt about the jurisdiction of this Tribunal, notices were issued to the respondents. In pursuance of the notice, Shri D.L.Dharmadhikari, advocate, has appeared before us on behalf of the respondents. Shri Dharmadhikari submitted that this Tribunal will have no jurisdiction to entertain and decide this application because Western Coal Fields Ltd. of which the applicant is an employee is not notified under Section 14(2) of the Central Administrative Tribunals Act, 1985. After verifying the records in this office we find that Western Coal Fields Ltd. is not so far notified under Section 14(2) of the Act. Hence we hold that this Tribunal will have no jurisdiction to entertain and decide this application. The application be returned to the applicant, if he so wants, for filing in a proper court.

4. There will be no order as to costs.


(P.S. CHAUDHURI)
Member(A)


(M.B. MIJUMDAR)
Member(J)