

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 556/96 & 745/96 /199

23-8-96

Date of Decision:

I. The General Manager, C.R.Mumbai, Applicant in
(By advocate Shri S.C.Dhavan) O.A.556/96

II DRM, SC Rly, Hubli Petitioner//s in O.A.745/96

Mr. S.C.Dhavan for Mr. V. S. Masurkar

Advocate for the
Petitioner/s

V/s.

I. Smt. K.D. Wagh & one anr.
(By Advocate Shri D.V. Gangal)

Respondents in O.A.556/
96

Respondent/s

II Shri Lachamappa Adveppa & 18 O/s.

Advocate for the
Respondent/s

CORAM:

Hon'ble Shri B.S. Hegde, Member(J)

Hon'ble Shri M.R. Kolhatkar, Member(A)

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?

(B.S. HEGDE)
Member(J)

M

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

O.A.NOS: 556/96 AND 745/96

FRIDAY, this the 23rd day of August, 1996

CORAM: HON'BLE SHRI B. S. HEGDE, MEMBER (J)

HON'BLE SHRI M.R. KOLHATKAR, MEMBER (A)

I. The General Manager,
Central Railway,
Mumbai.

By Advocate Shri S.C. Dhawan

.. Applicant in
O.A. 556/96

-versus-

1. Smt. K.D. Wagh,
widow of Shri D.P. Wagh,
Porter Chawl No.109,
Room No.711,
Kalyan Railway quarters,
Kalyan, Thane.

2. Shri R.S. Verma,
Presiding Officer,
Central Govt. Industrial
Tribunal No.1, Mumbai

By Advocate Shri D.V. Gangal

.. Respondents in
O.A. 556/96

II. Union of India
through
Divisional Railway Manager,
South Central Railway
Hubli

By Advocate Shri S.C. Dhawan for
Shri V.S. Masurkar

.. Applicant in
O.A. 745/96

-versus-

1. Shri Lachamappa Adigeppa
2. Shri Ningabasappa Shankarappa
3. Shri Gadigeppa Siddappa
4. Shri Malappa Hanumappa
5. Shri Yelgurdappa Bheemappa
6. Shri Hanumappa Bheemappa
7. Shri Ningappa Rangappa
8. Shri Ningappa Hanumappa
9. Shri Chandrashekhar Holippa
10. Shri Basavantappa Durgappa
11. Shri Sivalingappa Rangappa
12. Shri Basappa Bheemappa
13. Shri Sanjeevappa Pandappa

14. Shri Sangappa Sammugappa
15. Shri Nagappa Mariappa
16. Shri Pakeerappa Balappa
17. Shri Rangappa Naga ppa
18. Shri D.Rangappa
C/o. Shri Nagesh Kamath, Collem, Goa
19. The Presiding Officer, CGIT, Mumbai

.. Respondents
in O.A. 745/96

ORDER (ORAL)

PER: B.S. HEGDE, MEMBER(J)

The question for consideration in these
two OAs are whether the order passed by the Industrial
Tribunal can be entertained by the C.A.T. u/s. 19 of
the A.T. Act.

2. In view of the judgment of the Hon'ble
Supreme Court in the case of Krishan Prasad Gupta
v. Controller, Printing & Stationery, JT 1995(7)SC 522
and Suraj Ram vs. U.C.I. decided on 12-2-96 it is held
that C.A.T. has no jurisdiction to entertain the
matters arising out Industrial Disputes Act.

3. In the light of above observation we are
of the view, that the OAs filed by the applicants are
not maintainable. Accordingly for want of jurisdiction
the same are dismissed. However, the applicant are at
liberty to approach appropriate forum if they so advised
for getting the relief.

M.R.Kolhatkar
(M.R.KOLHATKAR)
Member(A)

B.S.Hegde
(B.S. HEGDE)
Member(J)