

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, GULESTAN BUILDING NO. 6
PRESCOT ROAD, BOMBAY - 1.

Original Application No. 263/96

Monday the 8th day of July 1996

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

Hon'ble Shri P.P. Srivastava, Member (A)

Mrs. Vandana Nitin Prabhu

By Advocate Shri R.G.Ghag

Union of India through
Secretary, Ministry of
Human Resources Development
(Women & Child Welfare),
Jeevan Deep Building,
Parliament Street,
New Delhi.

The Central Social Welfare Board
Samaj Kalayan Bhavan,
B-12, Tara Crescent,
Institutional Area,
South of I.I.T. New Delhi.

The Maharashtra State Social
Welfare Advisory Board,
through its chair person,
Mehta Chambers, Kalyan Street,
Masjid Mumbai.

... Respondents.

By Advocate Shri Suresh Kumar

Standing Counsel : Shri M.I. Sethna.

O R D E R (ORAL)

¶ Per Shri B.S. Hegde, Member (J) ¶

Heard both the parties.

1. The respondents have raised a preliminary objection of the point of jurisdiction, as the applicant is not an employee of the Central Government. The applicant was appointed by the Chairman, Maharashtra State Social Welfare Advisory Board, which is not a Government Organisation and his services has been terminated by the Chairman Maharashtra State Social Welfare Advisory Board. Since the appointment and the dismissal order passed by the State Government, the present application is not maintainable, Just because

some grant is given by the Central Social Welfare Board, that by itself does not entitle her to claim as a Government servant.

2. In the circumstances, we are of view, that we do not have jurisdiction to entertain this application. Accordingly the O.A. is dismissed at the admission stage itself.



(P.P. Srivastava)
Member (A)



(B.S. Hegde)
Member (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, GULESTAN BUILDING NO. 6
PRESCOT ROAD, FORT MUMBAI 400001.

R.P. No. 83/96 in O.A. 263/96.

Dated this 29th day of August 1996.

CORAM : 1) Hon'ble Shri B.S. Hegde, Member (J)
2) Hon'ble Shri P.P. Srivastava, Member (A)

Mrs. Vandana N. Prabhu ... Petitioner
v/s
Union of India & Others ... Respondents

Tribunal's Orders (By circulation)
Per: Shri B.S. Hegde, Member (J).

In this R.P. the applicant is challenging the judgement of the Tribunal dated 8-7-1996. It may be recalled that the O.A. was dismissed at the admission stage itself for want of jurisdiction to entertain the O.A. The fact is undisputed that the applicant was appointed by the Chairman, Maharashtra State Social Welfare Advisory Board, which is not a Government organisation and her services were terminated by the Chairman, Maharashtra State Social Welfare Advisory Board. Both the appointment as well as termination order was passed by the State Government. Therefore, it was held that that the petition ~~was not~~ maintainable for want of jurisdiction. The Review Petition cannot be utilised for re-arguing the case on the same ground.

ASH

2. We do not find any error apparent on the face of the record nor any new facts have been brought to our notice; hence this R.P. is not maintainable and the same is, therefore, dismissed.



(P.P. Srivastava)
Member (A)



(B.S. Hegde)
Member (J)

ssp.