

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO: 524/99

DATE OF DECISION: 9/01/2001

Shri Padmakar Keshav Bapat

Applicant.

Shri N.A.Kulkarni

----- Advocate for
Applicant.

Versus

Union of India

----- Respondents.

Shri K.P.Anilkumar

----- Advocate for
Respondents.

CORAM:

Hon'ble Shri Muldip Singh Member(J)

Hon'ble Smt. Shanta Shastri Member(A)

1. To be referred to the Reporter or not?
2. Whether it needs to be circulated to other Benches of the Tribunal?
3. Library.

(Signature)
(MULDIP SINGH)
MEMBER(J)

abp

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO:524/1999
DATED THE 9th OF JAN. 2001

CORAM:HON'BLE SHRI KULDIP SINGH, MEMBER(J)
HON'BLE SMT. SHANTA SHASTRY, MEMBER(A)

Padmakar Keshav Bapat,
Administrative Officer,
National Centre for Cell Science,
(Formerly known National Facility
for Animal Tissue and Cell Culture),
Dept. of Bio-Technology,
Government of India,
Ganesh Khind Road,
Pune University Campus,
Pune- 411 007.

... Applicant.

V/s.

Shri G.C.Mishra,
Director,
National Centre for Cell Science,
(Formerly known National Facility
for Animal Tissue and Cell Culture),
Dept. of Bio-Technology,
Government of India,
Ganesh Khind Road,
Pune University Campus,
Pune- 411 007.

... Respondents

By Advocate Shri K.P.Anilkumar

(ORAL)(ORDER)

Per Shri Kuldip Singh, Member(J)

The applicant in this OA is challenging order of termination of his services which has been passed by the respondents. The respondents have filed reply stating that Respondent No.1 is only a Society and it does not fall under the purview of the Central Administrative Tribunal and hence this Hon'ble Tribunal has no jurisdiction to hear and decide this application.


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2. The applicant has submitted that the National Facility for Animal Tissue and Cell Culture is an Institute which is established under the Societies Registration Act, 1860., financially controlled by the Government of India as per Section 3(3)(q) defines the term "Service Matters". He also submitted that the administrative control as well as the financial control is by the Government of India and hence the Tribunal has jurisdiction to try and entertain the original application. This contention of the applicant is not correct because there has to be a proper notification, Under Section-14 of the Central Administrative Tribunal, since there is no notification to this effect we are of the view that this Tribunal has no jurisdiction and hence the OA is dismissed for lack of jurisdiction. However, the applicant is at liberty to approach the appropriate forum in accordance with law. No Costs.


(SHANTA SHASTRY)
MEMBER(A)

abp.


(KULDIP SINGH)
MEMBER(J)