

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 384/99

Date of Decision: 20/4/99

Shri M.A. Puthran

Applicant.

Shri P.A. Prabhakaran

Advocate for
Applicant.

Versus

The Flag Officer, Naval Dockyard
and two others.

Respondent(s)

Advocate for
Respondent(s)

CORAM:

Hon'ble Shri Justice R.G. Vaidyanatha, Vice Chairman.

Hon'ble Shri.

(1) To be referred to the Reporter or not? *no*

(2) Whether it needs to be circulated to
other Benches of the Tribunal? *no*

abp.

R. G. Vaidyanatha
(R.G. VAIDYANATHA)
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GULESTAN BLDG.NO.6, 4TH FLR, PRESCOT RD, FORT,
MUMBAI - 400 001.

ORIGINAL APPLICATION NO:384/99.

DATED THE 20th DAY OF APRIL, 1999.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman.

Shri Mahendra A Puthran,
resident of
T/12/24, Talwar Camp,
Colaba, Mumbai - 400 005.
retired from the Office of:

The Admiral Superintendent,
Naval Dockyard,
Mumbai - 400 023.
on Superannuation as
Master Craftsman in
Electric Mechanic.

... Applicant.

By Advocate Shri P.A.Prabhakaran.

v/s.

1. The Flag Officer,
Commanding-in-Chief,
Head Quarters, Western Naval
Command, Shahid Bhagat Singh
Road, Mumbai - 400 001.
2. The Commodore,
Naval Barracks,
INS Angre,
Mumbai - 400 023.
3. The Admiral Superintendent,
(For Accommodation in
Charge, Talwar Camp),
Naval Dockyard,
Mumbai - 400 023.

... Respondents.

I O R D E R

I Per Shri R.G.Vaidyanatha, Vice Chairman I

Heard Shri P.A.Prabhakaran, learned counsel for
applicant. The Impugned order has been passed by the Statutory
Authority under the provisions of Public premises Act ~~(Eviction of Unauthorised Occupants)~~ (Act) 1971, against the
order passed by Estate Officer, a separate machinery is
provided namely set in that Court for an appeal *to the* ~~Under the~~ District Judge *in*
City Civil Court at Bombay. Therefore the applicant has to

[Signature]

exhaust the statutory remedy by way of appeal before appropriate Court.

For the above reasons, the OA is not maintainable in this Tribunal and the same may be returned to applicant for presentation to the appropriate Court. This order is without prejudice to the applicant to approach the proper authority ^{and} to press for reliefs to which he is entitled to according to law.

In the result, the OA is disposed of accordingly. There will be no orders as to costs.


(R.G. VAIDYANATHA)
VICE CHAIRMAN

abp.