

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 970 of 1999.

Dated this Monday, the 13th day of December, 1999.

CORAM : Hon'ble Shri Justice R. G. Vaidyanatha, Vice-Chairman.  
Hon'ble Shri B. N. Bahadur, Member (A).

1. D. M. Pillay,  
Jr. Tech. Assistant,  
National Chemical Laboratory,  
Pune - 8.
2. Ramling Haribhau Tabe,  
Jr. Tech. Assistant,
3. K. S. Suryawanshi,  
Junior Laboratory Assistant.
4. P. R. Akkadkar,  
Photography Assistant,  
(DBT Project).
5. Mrs. V.S. Chavan,  
5.5A-DBT Phase-II Project.
6. Mrs. M. K. Dawakhar,  
Jr. Laboratory Assistant.  
DBT Phase II Project.
7. S. Gorkha,  
Jr. Laboratory Assistant,  
DBT Project.
8. Mrs. F. M. Saikh,  
Jr. Laboratory Assistant  
DBT Project.
9. J. V. Khamkar,  
Jr. Laboratory Assistant,  
DBT Phase-II Project.
10. R. M. Gagda,  
Jr. Laboratory Assistant,  
DBT Phase-II Project.
11. R. S. Mandekar,  
Jr. Laboratory Assistant,  
DBT Pilot Plant Project.

12. M.A. Kamble,  
Jr. Laboratory Assistant,  
DBT Phase-II Project.
13. J. A. Dangat,  
Junior Tech. Assistant,  
DBT Pilot Plant Project.
14. R. K. Borhade,  
Jr. Laboratory Assistant,  
DBT Pilot Plant Project.
15. S. D. Bharati,  
Jr. Laboratory Assistant,  
DBT Phase-II Project.
16. Mrs. R. S. Jadhav, ... Applicants.  
Jr. Technical Assistant,  
DBT Project.

All the above applicant are working  
for National Chemical Laboratory,  
Pune - 8.

(By Advocate Shri S. P. Saxena).

**VERSUS**

1. The Union of India through  
The Secretary,  
Ministry of Science &  
Technology,  
New Delhi - 110 011.
2. The Director General,  
C.S.I.R., Rafi Marg,  
New Delhi.
3. The Director,  
National Chemical Laboratory,  
Poona - 8. ... Respondents.

**OPEN COURT ORDER**

PER : Shri R. G. Vaidyanatha, Vice-Chairman.

Heard the Learned Counsel for the applicants. The  
applicants' case both in the O.A. and at the time of argument is

that they are entitled to regularisation under the provisions of Industrial Disputes Act. In our view, the dispute under the Industrial Disputes Act cannot be questioned before this Tribunal by filing an application under Section 19 of the Administrative Tribunals Act. Therefore, in our view, the present O.A. is not maintainable in this Tribunal. If the applicant has any grievance under the provisions of Industrial Disputes Act, their remedy is to approach proper forum under the Industrial Disputes Act. Hence, the O.A. is ordered to be returned to the applicants for presentation to the proper court.

2. The O.A. is accordingly ~~dismissed~~<sup>disregarded</sup> M. P. No. 802/99 for joint application does not survive since the O.A. itself is not maintainable in this Tribunal. No order as to costs.

B. N. Bahadur

(B. N. BAHADUR)

MEMBER (A).

R. G. Vaidyanatha

(R. G. VAIDYANATHA)

VICE-CHAIRMAN.