

**CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI**

ORIGINAL APPLICATION NO:568/2000

DATE OF DECISION: 8.6.2001

Shri Dnyaneshwar Fatuji Naik Applicant.

Applicant.

Shri V.D. Patnurkar Advocate for
Applicant.

Versus

Commandant, Central Training College III Respondents.
Nanded.

**Advocate for
Respondents**

CORAM

Hon'ble Shri Justice, B.Dikshit, Vice Chairman

Hon'ble Shri B.N. Bahadur, 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.

Bigrivit

(B.Dikshit)
Vice Chairman

NS

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO:568/2000

FRIDAY the 8th day of JUNE 2001

CORAM: Hon'ble Shri Justice B.Dikshit, Vice Chairman

Hon'ble Shri B.N. Bahadur, Member(A)

Dnyaneshwar Fatuji Naik
R/o Mudkhed,
Taluka -Mudkhed,
Dist. Nanded.

...Applicant

By Advocate Shri. V.D. Patnurkar.

V/s

Commandant
Central Training College III
Central Reserve Police Force
Mudkhed, Taluka - Mudkhed
District - Nanded.

...Respondents.

By Advocate Shri V.D. Vadhavkar.

ORDER (ORAL)

{Per Shri Justice B.Dikshit, Vice Chairman}

There is a preliminary objection that this Tribunal does not have the jurisdiction to entertain the case in respect of Central Reserve Police Force, which is an armed force of Union. The question whether the Central Reserve Police Force is an armed force of the union has been decided in the case of Akhilesh Prasad V/s Union Territory of Mizoram {AIR 1981 SC 806} wherein it has been held that it is an armed force. Service matters in respect of armed forces are not cognisable by this Tribunal. The learned counsel for the applicant tried to distinguish the case on the ground that nature of work, which is being discharged by the applicant, is of civilian and therefore merely because he is working with Central Reserve Police Force does not take away jurisdiction of this Tribunal to seek the relief from this Tribunal.

B.Dikshit

...2...

:2:

2. We are not inclined to accept the contention raised by the learned counsel for the applicant. The applicant is a cook working in uniform. Once the applicant is cook with Central Reserve Police in uniform then he becomes part of the force and therefore no relief can be granted to the applicant by this Tribunal for lack of jurisdiction. Otherwise also, the applicant has not set out facts by which it could be said that the applicant's nature of work is of civilian nature and ~~can~~ therefore this Tribunal will have jurisdiction. The OA is dismissed for lack of jurisdiction.

B.N.Bahadur

(B.N.Bahadur)
M(A)

NS

B.Dikshit

(B.Dikshit)
VC