

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE SIXTEENTH DECEMBER, 1986

Present: Hon'ble Mr Justice K.S. Puttaswamy Vice Chairman
Hon'ble Mr L.H.A. Rego Member(A)(R)

APPLICATION NO. 1791/86

Surisetty Pera Raju, son of
Rajanna, Grade II Fire-man,
Fire service section,
Marine Department, 46 years,
residing at Door No. 29-6-5
Dabagardens,
Visakhapatnam 530 020
Andhra Pradesh

... Applicant

(Shri M. Satyanarayana ... Advocate)

Vs

1. The Port Trust, represented by
its Chairman, Visakhapatnam Port Trust,
Visakhapatnam (AP).
2. The Deputy Conservator,
Marine Department,
Visakhapatnam Port Trust,
Visakhapatnam (AP).

... Respondents

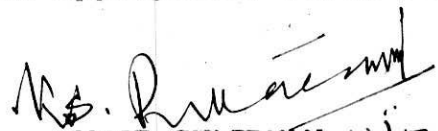
This application has come up for hearing before this
Tribunal today. Vice Chairman made the following:-

ORDER

In this application made under Section 19 of the
Administrative Tribunals Act of 1985(Act), the applicant
has challenged the order dated 21.2.86 of the Chairman,
Visakhapatnam Port Trust and Appellate Authority(AA) in
no. A/APPEAL/11777/85 affirming the order dated 28.6.85
of the Deputy Conservator , Visakhapatnam Port Trust,
Disciplinary Authority(DA) in no. DC/EG/H/4360 terminating
his services.

...2/-

2. The applicant was working as a Fireman Grade II in the Visakhapatnam Port Trust, a major port constituted under the Major Port Trusts Act, 1963 (Central Act No. 38 of 1963).(Port Trust). The Port Trust is only an authority constituted under the Central Act and is not a part of the Government of India over which the Tribunal constituted under the Act have been conferred with jurisdiction. We also find that notifications dated 2.5.86 and 31.10.86 issued by the Government of India under Section 14(2) of the Act has not so far conferred jurisdiction on the major port trusts of the country. Shri M.Satyanarayan, learned counsel for the applicant, in our opinion very rightly, does not dispute these facts. When once these facts are not disputed, it follows that this Bench of the Tribunal or the Hyderabad Bench of this Tribunal which has started functioning from 1.7.86 has no jurisdiction over the proceedings that are challenged in this application. We have therefore no alternative except to reject this application reserving liberty to the applicant to approach the appropriate forum for relief. We therefore reject this application. But this does not prevent the applicant from approaching the appropriate forum for relief.


VICE CHAIRMAN 14/12


MEMBER(A)(R) 16-12-86