

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Registered A/D

Commercial Complex(BDA),
Indira Nagar,
Bangalore-560 038.

Application No. 495 /1986(F)

Applicant

Versus

Respondent(s)

Sh. S. Annamalai,

To Sh.S. Annamalai,
C/o Sh. Subbarao, No.128, Cubbonpet,
Bangalore.

The Secretary, M/o Defence,
New Delhi & 4 ors.

Take notice that your application above-mentioned
filed in this Tribunal under Section 19 of the Administrative
Tribunals Act, 1985, on 27.3.86 is posted for admission
on 9.7.86. You are, therefore, directed to appear in
person or through a duly authorised legal practitioner on
the said date.

By order of the Registrar.

Bangalore

Dated: 3.7.86.

~~(K.R.RAO)~~
DEPUTY REGISTRAR.

Inf: S.
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R

Issued
10/7

REGISTERED/AD

NOTICE OF APPLICATION

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

II Floor, Commercial Complex(BDA)
Indira Nagar, Bangalore-560038

Dated :// ¹⁷ July, 1986

Application No 492 /1986(F)

Applicants

Versus

Respondents

S. Annamalai

U.C.I. By its Secy., Min of Def.
New Delhi and 3 4 Others

To

1. The Secretary, Min of Defence,
New Delhi.

2. Adjutant General, Recruiting Directorate,
Bldg 9 (a)(b), Army Hqs, West Block III,
R.R.Puram, New Delhi - 110027.

3. The Zonal Recruiting Officer,
Hqs Recruiting Zone, No.3, Rajendra Sinhaji Road,
Pune - 411 001

4. The Zonal Recruiting Officer,
Headquarters Recruiting Zone,
No.46, Residency Road,
Bangalore - 560 025

5. The Branch Recruiting Officer,
Branch Recruiting Officer,
Colaba, Bombay - 400 025

..... Respondent No.

Responds

1, 2, 3,
4 & 5

Whereas the Applicant above named has filed an Application (Copy enclosed) under Section 19 of the Administrative Tribunals Act, 1985 in this Tribunal, and whereas the Application is admitted.

2 weeks

Take notice that within 30 days from the date of service of this notice, you may appear in person or through an agent or through a duly authorised legal practitioner and file in six complete sets, reply to the application along with documents, if any, in a paper book form with the Registry of this Tribunal, failing which the matter will be heard ex-parte.

The case is posted on 30-7-86 for further orders.

By Order of the Tribunal.



for Deputy Registrar

S.I.S.
Pl. come with encls.
R.

B. P.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 9TH DAY OF SEPTEMBER, 1987

Present: } Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
 } and
 } Hon'ble Shri L.H.A. Rego, Member (A)

APPLICATION NO. 495/86

Shri S. Annamalai,
S/o Sundaram,
Civilian Military Driver,
The Branch Recruiting Office,
Colaba,
Bombay.

..... Applicant

(Shri M.S. Anandaramu, Advocate)

v.

1. The Union of India,
represented by its Secretary
to Defence, Ministry of Defence,
New Delhi.
2. Adjutant General,
Recruiting Directorate,
D.T.E./R.T.G.5(OR)
(b) Army HQS,
West Block III,
R.K. Puram,
New Delhi.
3. The Zonal Recruiting Officer,
HQS Recruiting Zone,
No.3, Rajendra Sinhaaji Road,
Poona.
4. The Zonal Recruiting Officer,
Headquarters Recruiting Zone,
No.46, Residency Road,
Bangalore.
5. The Branch Recruiting Officer,
Branch Recruiting Office,
Colaba, Bombay.

..... Respondents.

(Shri M.S. Padmarajaiah, SCGSC)

This application having come up for hearing to-day,
Vice-Chairman made the following:

O R D E R

This is an application made under Section 19 of the
Administrative Tribunals Act, 1985.

2. Prior to 31.5.1985 the applicant was working as a Civilian Driver in the office of Branch Recruiting Officer, Colaba, Bombay. (Respondent-5). He attained superannuation on 31.5.1985 and had retired from service on that date. The applicant claims that the pensionary benefits due to him have not so far been settled by Respondent-5 and other respondents. He has therefore approached this Bench on 27.3.1986 for a direction to the respondents to settle the pensionary benefits due to him.

3. In their reply, the respondents have asserted that this application filed before this Bench, was not maintainable and the same had to be filed either before the New Bombay Bench or the Principal Bench of this Tribunal.

4. Shri M.S. Padmarajaiah, learned Senior Central Government Standing Counsel, appearing for Respondents contends that on the principles enunciated by this Bench in Application No.1628/86 and connected case D.P. ARYA v. UNION OF INDIA decided on 31.8.1987 this application filed before this Bench was not maintainable.

5. Shri M.S. Ananda Ramu, learned counsel for the applicant contends that this application presented before this Bench was maintainable.

6. We have earlier noticed that as on the date of his retirement the applicant was working in an office situated within the territorial jurisdiction of New Bombay Bench.

If that is so then on the principles enunciated in Arya's case this application should have been presented either before the New Bombay Bench or before the Principal Bench of the Tribunal and not before Bangalore Bench. For the very reasons stated in Arya's case we hold that this application is liable to be returned to the applicant for its re-presentation before the appropriate Bench of this Tribunal. We therefore direct the Registrar to return the application to the applicant for its re presentation before the appropriate Bench of this Tribunal.

Mr. P. V. Rao
Vice-Chairman
9/9/87

[Signature]
Member (A)
9.10.87

bsv/Mrv.

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 14-9-87

Application No. 495 /86(F)

W.P. No

Applicant S. Annamalai Vs Secy, Min. of Defence and 4 Ors

To

1. Shri S. Annamalai,
No. 89/5, Rayappa Garden,
Ramakrishnappa Road,
Cox Town, Bangalore - 560005.
2. Shri M.S. Ananda Ramu, Advocate,
No. 128, Cubbonpet Main Road,
Bangalore - 560002.
3. Secretary, Min. of Defence,
South Block, New Delhi-110011.
4. Adjutant General, Recruiting DE,
D.T.E./R.T.G. 5(COR)(b) ARMY HQS,
West Block III, RK Puram, N. Delhi-22.
5. The Zonal Recruiting Officer,
Hqs Recruiting Zone,
No. 3, Rajendra Sinhaji Road,
Poona - 411001.
6. The Zonal Recruiting Officer,
Headquarters Recruiting Zone,
No. 46, Residency Road,
Bangalore - 25
7. The Branch Recruiting Officer,
Branch Recruiting Office,
Colaba, Bombay - 400 005.
8. Sri M.S. Padmarajiah,
Central Govt. Standing Counsel,
High Court Bldg Sing, Bangalore.

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH IN

APPLICATION NO. 495/86 (F)

Please find enclosed herewith the copy of the Order/~~Interim Order~~
passed by this Tribunal in the above said Application on 9 Sep 87.

Encl : as above.

[Signature]
DEPUTY REGISTRAR
SECTION OFFICER
(JUDICIAL)

Balu*

RECEIVED

Diary No. 1136/CR/87

Recd Date: 15/9/87

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE

DATED THIS THE 9TH DAY OF SEPTEMBER, 1987

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
Hon'ble Shri L.H.A. Rego, Member (A)

APPLICATION NO. 495/86

Shri S. Annamalai,
S/o Sundaram,
Civilian Military Driver,
The Branch Recruiting Office,
Colaba,
Bombay.

..... Applicant

(Shri M.S. Anandaramu, Advocate)

v.

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represented by its Secretary
to Defence, Ministry of Defence,
New Delhi.
2. Adjutant General,
Recruiting Directorate,
D.T.E./R.T.G.5(OR)
(b) Army HQS,
West Block III,
R.K. Puram,
New Delhi.
3. The Zonal Recruiting Officer,
HQS Recruiting Zone,
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4. The Zonal Recruiting Officer,
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5. The Branch Recruiting Officer,
Branch Recruiting Office,
Colaba, Bombay.

..... Respondents.

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Sd---

Vice-Chairman

9/9/87

'True Copy'

Sd---

Member (A)

bsv/Mrv.

P. Singh 4/9/87
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

By RPAID

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indiranagar,
Bangalore-560 038.

Ref:A.No.495/86(F).

Date: 17-2-88.

To :

Shri S. Annemalai,
S/o Shri Sunderam,
No.89/5, Rayappa Garden,
Ramakrishnappa Road,
Cox Town, Bangalore-560 005.

Subject: A.No.495/86(F)- S. Annemalai Vs Secretary, Ministry
of Defence and 4 others.

Sir,

Reference Order of this Tribunal dated 9.9.87. in A.No.495/86(F),
copy of which was forwarded to you vide letter No.495/86(F) dated 14.9.87.

You have not so far approached this Tribunal to collect your
application. Therefore your application dated 23.3.86 alongwith its
enclosures are forwarded herewith, as per our endorsement made on the
application.

Please acknowledge.

Yours faithfully,


SECTION OFFICER(J).

ENCL:

Copy to:- Shri M.S. Ananda Ramu, Advocate, No.128, Cubbonpet Road,
Bangalore-560 002.

Sent to CR
17/2/88

Central Administrative Tribunal
Bangalore Bench
~ ~ ~ ~ ~

A. No. 495/86(F)
~ ~ ~ ~ ~

- (a) Particulars of application and its enclosures received in CAT Bangalore Bench } Application dated 23.3.86 with additional Sels and its annexures received in CAT Bangalore Bench on 27.3.86.
- (b) Order of the Tribunal for return of application to the applicant } Order dated 3.3.87
- (c) Particulars of fees paid } IPO No. DD 858917 dated 25.3.86 for Rs.50/- removed in CAT Bangalore Bench.
- (d) Date on which application from the applicant for return of original application received } Not received
- (e) Date on which application is returned to the applicant } Application in 3 Sels and its annexures sent to the applicant by Regd Post/AD on 17.2.88.

R. Thy 17/2/88
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

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