

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

By Regd. Post

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

Application No. 1654/86 (F)

Dated the 15/10/86, 86.

Shri. S. N. Dubey - Applicant

V6

The Secretary
Ministry of Human Resource Development
Govt. of India (Dept. of Education) New Delhi ^{one} ~~two~~

Subject: SENDING COPIES OF ~~ORDER~~ PASSED BY THE BENCH ^{Corrigendum}
IN APPLICATION NO.

1654/86 (F)

CORRIGENDUM

Please find enclosed herewith the copy of the ~~Order/Interim Order~~
passed by this Tribunal in the above said Application on 14-10-86.
in its earlier order dated 25-9-86.
3

Shri S. N. Dubey
pl. Bangalore
K.

SECTION OFFICER
(Judicial)

Encl: As above.

To

- 1) Shri. V. Gopala Gowda,
Advocate (For Applicant),
No 27, Kilari Road,
Chickpet Post
Bangalore - 560 053
- 2) The Secretary,
Ministry of Human Resource Development
Govt. of India (Dept. of Education)
New Delhi.
- 3) Central Tibetan Schools Administration
III Floor, Pratap Bhawan, 5- Bahadur Shah Zagar Marg,
New Delhi - 110 002.
(With reference to your letter dated 6-10-86)
- 4) Shri. M. S. Padmarajiah
Central Govt. Standing Counsel
High Court Buildings, Bangalore - 560 001.

Recd. 11/10/86
Sub. 16/10/86
K.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

U.P.C

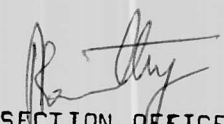
Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Application No. 1654/86(7)

Dated the 25 Sept, 86.

- To
- 1) Sri. V. Gopala Gowda. Advocate for applicant
NO 27, Kilara Road, Chickpet Bangalore 560053
 - 2) Secretary, Ministry of Human Resource Development
Govt of India (Dept of Edn) New Delhi.
 - 3) Central Tibetan Schools Administration (Ministry of
Human Resource Development Govt of India) Dept of Edn)
by Secretary, III floor. Pratap Bhawan. Bahadur Sha.
Zafar Marg. New Delhi - 110022
 4. M.S. Padmasudhan. Sr. Counsel. for Central Govt. High Court
Building Bangalore 1.
- Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH
IN APPLICATION NO. 1654/86.

Please find enclosed herewith the copy of the Order/Interim Order
passed by this Tribunal in the above said Application on 30th September 86

o/c 
SECTION OFFICER
(Judicial)

Encl: As above.

Sn: 8
P. S. Srinivas W.C.
R.

inel
25/9.

Copy Received
(Gopalakrishna S. Hegde)
Advocate
for the Applicant. 7/10/1986.

**IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL ADDITIONAL BENCH,
BANGALORE**

ORDER SHEET

Application No

1654

of 198


6(F)

Applicant

Respondent

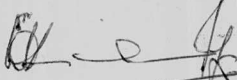
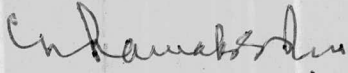
Advocate for Applicant


Advocate for Respondent

Date	Office Notes	Orders of Tribunal
3-9-1986		<p>Shri D.D. Upadhyaya, IAS, Secretary, Central Tibetan School (CTS) Administration, who was present in court on behalf of the respondents on 25-8-86 submitted that CTS is an autonomous body registered under the Societies Registration Act (22 of 1960) and it is not a Department of the Central Government Under the Ministry of Human Resources Development. Shri M.S. Padmarajaiah, Sr. Central Govt. Standing Counsel submitted that no notification has, as yet, been issued under Section 14(2) of the Administrative Tribunals Act, 1935 bringing CTS within the purview of the said Act.</p> <p>In view of the above we have no jurisdiction to entertain the application and the same is rejected with liberty to the applicant to move the proper forum for relief.</p> <p><i>(Signature)</i> <i>(Signature)</i> (L.H.A. Rego) (Ch. Ramakrishna Member(A) Member(J) Rao 3-9-1986 3-9-1986</p> <p>True Copy - <i>(Signature)</i> 25/9/86</p> <p>CENTRAL ADMINISTRATIVE ADDITIONAL BENCH BANGALORE</p>

Order Sheet (contd)

Order Sheet (contd)

Date	Office Notes	Orders of Tribunal
8.8.86.	<p><u>Judl. Section</u> Send notices by Regd. Post, with A.D. (P.O.) 8-8-86 P.O. issued to the Applicant & Respondents in added. 2-8-86 Admn. Notice dt 11-8-86 issued to the Respondents. P.O. served to R-1 & 2.</p>	<p>Application is admitted. Shri Ganapathy Hegde, counsel for the applicant, submits that his client will suffer irreparable loss if he is to move from Bylakuppe to Kollegal as it involves reduction in emoluments and lowering in rank. We, therefore, consider this to be a fit case to dispense with the requirements of clauses (a) & (b) of Sec.24 of Administrative Tribunals Act, 1985, and we accordingly do so. Let notice issue returnable within 15 days. Meanwhile, interim stay of the order transferring the applicant is granted for 14 days. Call on <u>25.8.1986</u> for further orders.</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  (L.H.A. REGO) MEMBER (AM) <u>8.8.86.</u> </div> <div style="text-align: center;">  (CH. RAMAKRISHNA RAO) MEMBER (JM) <u>8.8.86.</u> </div> </div> <p>dms.</p>

Date	Office Notes	Orders of Tribunal
22/8/86	<p>Advocate for Applicant has filed a application which Prays for Posting the Case Today. As directed by the Registrar the Case is posted before bench Today (i.e) (22/8/86)</p> <p>He has also filed application for seeking extension of stay as it expires today.</p> <p>submitted for orders.</p> <p>Placed before Bench.</p> <p>P- 22/8/86</p>	
22.8.1986	<p>25-8-86</p> <p>Hand Counsel for both sides. Orders returned.</p> <p>30</p> <p>P- 22/8/86 Contn-2.</p>	<p>Shri Ganapathy Hegde, present for the applicant, prays for extension of the interim stay granted by us on 8.8.1986 which is due to expire today. In our earlier order we had directed notice to the Respondents returnable in 15 days. Accordingly notice was sent by Reg post acknowledgement due by the Registry. From the acknowledgement received it appears that the notice was served on 19.8.1986. Presumably the respondents are attempting to enter appearance through counsel and it is therefore, expedient expedient for us to grant extension of interim stay already granted for a further period of 16 days. Let application be called on 8.9.1986 for further orders. Meanwhile interim stay continue.</p> <p>Notice shall be issued immediately by the Registry informing the Respondents of the grant of interim stay for 16 days and posting of the application on 8.9.1986.</p> <p>  (L.H.A. Rego) (Ch. Ramakrishna Rao Member (AM) Member (JM) 22.8.86 22.8.86 </p>

**IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL ADDITIONAL BENCH,
BANGALORE**

ORDER SHEET

Application No 654 of 1986 (F)

13.10

Applicant

Respondent

Advocate for Applicant

Advocate for Respondent

Date	Office Notes	Orders of Tribunal
3-9-1986		<p>Shri D.D. Upadhya, IAS, Secretary, Central Tibetan School (CTS) Administration, who was present in court on behalf of the respondents on 25-8-86 submitted that CTS is an autonomous body registered under the Societies Registration Act (22 of 1860) and it is not a Department of the Central Government under the Ministry of Human Resources Development. Shri M.S. Padmarajaiah, Sr. Central Govt. Standing Counsel submitted that no notification has, as yet, been issued under Section 14(2) of the Administrative Tribunals Act, 1985 bringing CTS within the purview of the said Act.</p> <p>In view of the above we have no jurisdiction to entertain the application and the same is rejected with liberty to the applicant to move the proper forum for relief.</p> <p><i>(Signature)</i> <i>(Signature)</i> (L.H.A. Regd) (Ch. Ramakrishna Member(A) Member(J) Rao 3-9-1986 3-9-1986</p>

9.86 Order issued to the Applicant
Respondents & to their Advocate
on 25.9.86.

I.P.O. removed.

7/10/86 order issued to Rg 1 is received
back undelivered.

86: Dmny. NO. 1076/J. received
on 13.10.86 and added.
It has been brought to
the notice that one
Shri D.D. Upadhyaya, who
appeared on behalf of
Respondents is not an
IAS officer as mentioned
in the order. It may
please be considered whether
amendment for the order
is necessary. Submitted to
order pl.

ML

14/10/86

Register

Place it before the
honorable members
now constituted the
bench.

14/10/86

14.10.1986

It has been brought to our notice the Secretary, Central Tibetan Administration, New Delhi, that our Order dated 25.9.1986, it is wrongly mentioned that Shri D.D. Upadhyaya is an IAS Officer when in fact he is a DANICS Officer, i.e. Delhi, Andaman, Nicobar Islands Services Officer. Hence, issue following Corrigendum:

"In our Order dated 25.9.1986, read the first line as follows instead of what has been earlier stated:

"Shri D.D. Upadhyaya, DANICS, i.e. Delhi, ~~Mizoram~~ Andaman, Nicobar Islands Civil Services"

(L.H.A. REGO) (CH. RAMAKRISHNA
MEMBER (AM) MEMBER (JM)
14.10.1986 14.10.1986.

dms.

14/10/86
Corrigendum
issued to
all the parties
concerned.

INTERIM ORDER

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indira Nagar, Bangalore.36.

Dated the 8 Aug.'86.

ON FRIDAY THE 8TH OF AUGUST, 1986.

P R E S E N T

THE HON'BLE MEMBER(JUDICIAL) : SHRI CH.RAMAKRISHNA RAO
THE HON'BLE MEMBER(ADMINISTRATIVE):SHRI L.H.A.REGO

IN APPLICATION No.1654 OF 1986

S.N.Dubey,
C/o Shri V.Gopala Gowda,
Advocate,Kilari Road,
Bangalore.53.

... Applicant.

Versus

1. The Secretary,
U.O.I., Min. of Human Resource
Devpt., Govt. of India,
(Department of Education)
New Delhi.
2. Central Tibetan Schools Administration,
(Min. of Human Resource Devpt.)
G.O.I, Deptt. of Education),
Rep. by Secretary, IIIrd Floor,
Pratab Bhavan, Bahadur Shah Zafar Marg,
New Delhi-110 002.

... Respondents.

O R D E R

In the above said application this Tribunal has
pass-ed the following order:-

"Application is admitted. Shri Ganapathy Hegde
counsel for the applicant, submits that his
client will suffer irreparable loss if he is
to move from Bylakuppe to Kollegal as it involves
reduction in emoluments and lowering in rank.
We, therefore, consider this to be a fit case to
dispense with the requirements of clauses (a) & (b)
of Sec.24 of the Administrative Tribunals Act, 1985,
and we accordingly do so. Let notice issue re-
turnable within 15 days. Meanwhile, interim stay
of the order transferring the applicant is granted
for 14 days. Call on 25.8.1986 for further orders.

Given under my hand and the seal of this Tribunal.



o/c REGISTRAR.

Issued
8/8/86

Handwritten notes:
J.S.
P. V. Buegner
for-142
R.