

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH BANGALORE

DATED THIS THE 3RD DECEMBER 1986

Justice
Present: Hon'ble Shri/K.S. Puttaswamy, Vice-Chairman
Hon'ble Shri P. Srinivasan, Member (A)
Application Nos. 1302 & 1303/86(T)

G.K. Memon, aged about 62 years,
Ex-Major, No.210, AECS,
Sanjaya Nagar, Bangalore-24.

K.S. Babu, aged about 61 years,
Ex-Major, No.558, 10th 'A' Main,
Road, Jayanagar, 5th Block,
Bangalore-11.

Applicants

(Shri S. Ranganath Jois, Advocate)

1. The Union of India represented by its Secretary, Ministry of Defence 'Raksha Bhavan, New Delhi-11.
2. The Director General, National Cadet Corps, Ministry of Defence West Block, No.4, R.K. Puram, New Delhi-22.
3. The Controllorate of Defence Accounts (P) Allahabad, U.P.

Respondents

(Shri M.S. Padmarajaiah, Advocate)

This application has come up for hearing before this Tribunal to-day, Vice-Chairman made the following:

O R D E R

These are transferred applications received from the High Court of Karnataka U/s 29 of the Administrative Tribunals Act, 1985(the Act).

2. The applicants, who are ex-Majors in the Indian Army, are claiming various reliefs under the Army Act and the Rules made thereunder. Section 2(a) of the Act prohibits this Tribunal from adjudicating service matters of the members of the Armed Force of the Union. We cannot therefore adjudicate the grievance of the applicants and has to be adjudicated only by the High Court as before.

3. Shri S. Ranganath Jois, learned counsel for the applicants, and Shri M.S. Padmarajaiah, learned Senior Standing Counsel for the Central Government appearing for the respondents, do not also dispute this position and rightly request us to retransfer these cases to the Hon'ble High Court for disposal. We, therefore, direct the Registrar of this Tribunal to retransfer writ petition nos. 19663 & 19664/1984 of the applicants to the High Court of Karnataka for disposal.

K.S. Puttaswamy
(K.S. PUTTASWAMY) 3/12/86
VICE-CHAIRMAN
3.12.1986

P. Srinivasan
(P. SRINIVASAN) 3/12/86
MEMBER (A)
3.12.86

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