

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

9160

ORDER SHEET

Application No. 1416/86 of 198

Applicant

Respondent

WP. 664/85

Advocate for Applicant

Advocate for Respondent

Date	Office Notes	Orders of Tribunal
17-7-86.	<p>This WP is obtained from High Court of Karnataka 6/5 89 of Administrative Tribunal Act. 1985.</p> <p>There are 3 respondents all of them have served. Unrepresented Respondents Advocate has not filed Memo or Counter. Matter is ready for being posted before bench.</p> <p>Next, notice maybe issued to respondents and to their Counsel intimating terms date of hearing. Applicant may also be intimated through by his Counsel.</p> <p>A date maybe fixed for intimations to both parties.</p> <p>Registrar: Registrar</p> <p>Notice to the parties through their respective advocates.</p>	

CO. 17/7/86

Date

Office Notes

Orders of Tribunal

3
The applicant's
Dakshinam RPF.
After domestic
enquiry he was
dismissed. Mem-
orandum of dismissal
is challenged & taken
in the top instance
now transferred to
this Tribunal as 290
of the AT Act -

RPF appears to
be armed force
of the union of
India. If that be
so then the
Tribunal should
have jurisdiction
to entertain the
application in
view of Sec 2(a) of
the AT Act -

To determine the
afore said point -
post-bale bench
on 19-8-86.

It is held that
Tribunal has no
jurisdiction here
as it has to be
referred to
the District
Court.

Jan
17/8

Notices issued to the parties
as instructed

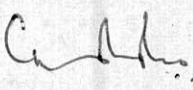
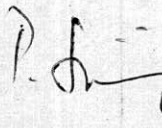
17/8 R. & L. Served.

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

Order Sheet (contd)

A-15/1416/86(T)

Date	Office Notes	Orders of Tribunal
19.8.86	<p>Sri G. Gangireddy for applicant absent. Sri N. Sreerangaiah for respondent. Files M.A. in Court. Date of hearing 4/12/86.</p> <p style="text-align: center;">BO.</p> <p style="text-align: center;">CoCH-2</p> <p>Notice issued to the Applicant's advocate on 22/8/86</p> <p>Notice dt 11/9/86 issued to the Advocate for Applicant</p> <p>Notice served to Advocate for Applicant.</p>	<p>case</p> <p>The ^x was called several times during the day but none appeared for the applicant. We, therefore, proceeded to examine the matter with the assistance of Shri M. Sreerangaiah, learned counsel for the respondents.</p> <p>2. Shri Sreerangaiah pointed out that the applicant in this transferred application, received from the High Court of Karnataka, was a Rakshak in the Railway Protection Force (RPF, for short) xx in SCR at Hubli before he was removed from service after departmental enquiry. Shri Sreerangaiah informs us that by an amendment ^{Act} 16 of 1986, RPF xxx Act has been amended and by this amendment the RPF has been constituted as an armed force of the Union of India. Accordingx to Sec 2(a) of the Administrative Tribunals Act 1985, service matters relating to a member of the Armed forces of the Union do not fall within the jurisdiction of this tribunal.</p> <p style="text-align: right;">p.t.o.</p>

Date	Office Notes	Orders of Tribunal
		<p><u>from over-leaf</u></p> <p>He, therefore, prays that this application may be retransferred to the High Court.</p> <p>In view of the submission of Shri Sreerangaiah, with which we agree, we direct the Registrar to retransfer this case to the High Court of Karnataka for disposal.</p> <div><div> Member (J) 4-12-86</div><div> Member (A)(S) 4-12-86</div></div>
12-1-87	Order dt. 4-12-1986 issued to all Parties Concerned TRE.	
15-1-87	BP handed over in HC on 15-1-87. Of Order.	