

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE 7TH DAY OF NOVEMBER, 1986.

PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy .. Vice-Chairman.
And.
Hon'ble Mr. L.H.A. Rego. .. Member (A).

APPLICATION NUMBER 1818 OF 1986.

B.S. Parthasarathy,
S/o R. Srinivasa Iyengar,
Major, Inspector, Railway
Protection Force, Bangalore.
(Now at Jolarpet).

Applicant.

(By Sri L. Govindaraju, Advocate).

vs.

1. Chief Security Officer,
Southern Railway, Madras
Beach, Madras.

2. Assistant Security Officer,
Southern Railways,
Bangalore City.

.. Respondents.

(By Sri M. Sreerangaiah, Advocate).

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

O R D E R

This application received on transfer from the High Court of Karnataka has been placed before us to-day to decide whether we should take the same on our file and issue notices to the parties or not.

2. On an examination of the pleadings, the registrar of this Tribunal had expressed that the applicant was a member of Railway Protection Force which has been declared as an Armed Force of the Union of India and, therefore, this Tribunal has no jurisdiction to deal with the same.

3. We

3. We have carefully examined the pleadings and the opinion expressed by the Registrar.

4. We find that the applicant who was a member of Railway Protection Force was governed by the Railway Protection Force Act of 1957 ('the Act'). The Act has been amended by Act 60 of 1985 and the amendment has declared the Railway Protection Force as an Armed Force of the Union of India. Section 2 of the Administrative Tribunals Act of 1985 excludes the jurisdiction of this Tribunal in respect of service matters of the Armed Forces of the Union of India. From this it follows that this Tribunal has no jurisdiction to deal with the service matter of the applicant who is a member of Armed Force of the Union of India. We are, ~~therefore~~ of the view that we should re-transfer this application to the Hon'ble High Court of Karnataka for disposal. We, therefore, direct the Registrar of this Tribunal to re-transfer Writ Petition No.13448 of 1982 to the Hon'ble High Court of Karnataka for disposal according to law.

Ms. D. K. Marikar
VICE-CHAIRMAN 7/11/86

[Signature]
MEMBER(A) 7.11.86

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