

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH BANGALORE

DATED THIS THE 18TH NOVEMBER 1986

Present: Hon'ble Shri Ch. Ramakrishna Rao,

Member (J)

Hon'ble Shri P. Srinivasan,

Member (A)

APPLICATION NO. 888/86

S.H. RAHIMATHULLA,
S/o Khazi Abdul Kareem,
Ages 44 years,
Inspector (Fire),
South Central Railway,
Hubli, Dist: Dhrawar.

Applicant

1. The Chief Security Officer,
South Central Railway,
Secunderabad,
Andhra Pradesh,
 2. The Assistant Security Officer,
South Central Railway,
Hubli, Dist. Dharwar
- (Shri M. Sreerangaiah, Advocate)

Respondents

The application has come up for hearing this
Tribunal to-day, Member (A) made the following :-

O R D E R

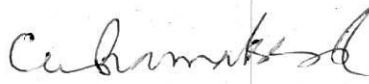
This is a transferred application received from
the High Court of Karnataka (HCK).


2. The case was called out several times but
nobody appeared for the applicant. Shri M. Sreerangaiah,
learned counsel for the respondents, points out that
the applicant in this case was an Inspector in the
Railway Protection Force (RPF) before he was suspended
from service by order dated 14.4.1982 (Annexure 'C')

P. Srinivasan

to the application). The applicant has challenged this order dated 14.4.1982, and has made other prayers in the application. Shri Sreerangaiah points out that by an amendment to the RPF Act, introduced by Act No. 60 of 1985, RPF has been constituted as an Armed Force of the Union w.e.f. September, 1985. Under Section 2(a) of the Administrative Tribunals Act, 1985 ("the Act" for short), the provisions of the Act do not apply to any member of the Naval, Military or Air Force or of any other armed Force of the Union. Since the applicant is a member of an Armed Force of the Union, Shri Sreerangaiah urges that this Tribunal has no jurisdiction over this application.

3. We agree with Shri Sreerangaiah, and direct the registry to retransfer this application to the High Court of Karnataka for disposal.


(CH. RAMAKRISHNA RAO)
MEMBER (J)
18.11.86


(P. SRINIVASAN)
MEMBER (A)
18.11.86