

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

U.P.C.

Commercial Complex(BDA)
Indira Nagar, Bangalore-560038
Dated.....

APPLICATION NO. 780 /86 (T)

WRIT PETITION NO. 12151/81

APPLICANT

Dr. Varadev, G.

RESPONDENT(S)

The Secretary,
D/o Health & Family Welfare,
New Delhi & S. are.

versus

To

Sh. N.S. Srinivasan,
Advocate, R.No.12,
S.S.S. Mutt Bldg.,
Tark Pond Road,
Bangalore-5.

1. Central Govt. Standing Counsel,
High Court Bldg., Bangalore.

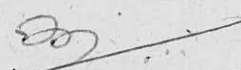
2. Advocate General, High Court Bldg.,
(State) Bangalore.

3) R5 & R6 personally

Writ Petition No 12151/81 on the file of Hon'ble
High Court of Karnataka, Bangalore, transferred to this Tribunal
under Section 29 of the Administrative Tribunals Act, 1985, and
registered in this Tribunal as Application No 780/86(T) is
posted before the Bench on 24-7-86 for fixing the
date for final hearing.

2. You are directed to appear on the aforesaid date at 10.30 AM
failing which further proceedings will be held in your absence.

By order of the Tribunal.


(COURT OFFICER)

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Issued
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**National Institute of Mental Health & Neuro Sciences
Bangalore-560029**

Post Bag No. 2900

Date...18.7.86...

Ref: PER(6)/F-950/86-87/2625

Sri. M.S. Padmarajiah,
Advocate and Additional
Central Government Standing Counsel
High Court of Karnataka,
Bangalore - 560 001.

Sir,

Sub: Writ petitions pertaining to NIMHANS
transferred from Hon'ble High Court of
Karnataka to the Administrative Tribunal
Bangalore Branch.

Ref: Your endorsement (3) dated 12.7.1986.

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With reference to the above subject I am to state that
the following cases are reported to have been posted before
Administrative Tribunal, Bangalore Branch for final hearing

Sl. No.	Writ Peti- tion No.	Application no. of Tribunal	Applicant	Respondent	Date of hearing
1.	6688/80	200/86 (T)	Mr.G.N.Tunkur	Chairman NIMHANS	16.7.86
2.	1915/81	680/86 (T)	Smt.T.Yashoda	-do- & 10 others	23.7.86
✓3.	12151/81	780/86 (T)	Dr. Nardev, G.	Secretary Health & Family Welfare Services New Delhi & 5 others	24.7.86
4.	10222/81	772/86 (T)	Dr. Nardev, G.	Union of India	23.7.86

In this context it may be stated that NIMHANS is an autono-
mous body registered under Societies Registration Act 1960, as
per office Memorandum No.V/8014/1/72/MPT issued by the Ministry of
Health and Family Welfare (copy enclosed with approved memorandum
of Association).

Contd....2/-

Original copy of the letter is enclosed
with the file no. 772/86 (copy no. 10222/81)



National Institute of Mental Health & Neuro Sciences
Bangalore-560029

Post Bag No. 2900

Ref :

Date.....

- 2 -

Since notification for transferring such societies under the purview of Administrative Tribunal in consonance with provisions of Administrative Tribunal Act 1985 does not appear to have been issued by Government of India I request you kindly to examine the issue and take necessary action.

Yours sincerely,

CHIEF ADMINISTRATIVE OFFICER

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Encl as above

Both are agreed that no notification has been issued under Section 14(2) of the Administrative Tribunals Act, 1985, so as to attract the jurisdiction of the Central Administrative Tribunal over the National Institute of Mental Health and Neuro Sciences (NIMHANS)- the 3rd respondent herein. Since the prayer in this writ petition is to quash the appointment given by the 3rd respondent to the 6th respondent, such a notification is a sine quo non for entertaining the W.P. transferred from the High Court to this Bench of the Tribunal. We therefore direct the Registrar to take steps to transfer back the writ petition to the High Court addressing its Registrar suitably in the matter".

Given under my hand and the seal of this Tribunal, this 12th day of August, 1986.


REGISTRAR


Copy to :-

Shri N.S. Srinivasan, Advocate,
Room No 12, S.S.B. Mutt Building,
Tank Bund Road,
Bangalore-9

Shri M.S. Padmarajaiah,
Senior Central Govt. Standing Counsel,
High Court of Karnataka Building,
Bangalore - 560 001

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CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCHCommercial Complex(BDA)
Indiranagar
Bangalore - 560 028*Swis*
Please fair to all
THURSDAY, THE 24TH OF JULY, 1986PRESENT*Issued*
SL
21/8/86
THE HON'BLE MEMBER(JUDICIAL) : SH CH. RAMAKRISHNA RAOTHE HON'BLE MEMBER(ADMINISTRATIVE) : SH L.H.A. REGOINAPPLICATION NO 780/86(T)
(W.P. NO 12151/81)Dr. Naradev. G.,
Psychiatric Social Worker,
NIMHANS, Bangalore - 29.

: Applicant

VERSUS

1. Union of India represented by its Secretary, Deptt of Health and Family Welfare, Nirman Bhavan New Delhi.
 2. State of Karnataka represented by its Secretary, Deptt of Health and Family Welfare, Vidhana Soudha, Bangalore - 1
 3. National Institute of Mental Health and Neuro Sciences, Hosur Road, Bangalore-29 represented by its Director.
 4. Chairman, Selection Committee for the post of Asst. Professor of Psychiatric Social Work, NIMHANS, Bangalore - 29.
 5. Dr. I.A. Sheriff, Head of the Deptt of Psychiatric Social Work, NIMHANS, Bangalore - 29.
 6. Dr. R.S. Batti, Asstt. Professor of Psychiatric Social Work, NIMHANS, Bangalore - 29.
- : Respondents

O R D E R

In the above application, this Tribunal has passed the following Order:-

"Shri Venugopal, Advocate present for Shri N.S.Srinivasan, Counsel for the applicant. Shri M.S. Padmarajaiah counsel for respondents present."

REGISTERED/AD

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indira Nagar,
Bangalore-560 038.

Dated the August, 1986,

REF: APPLICATION NO. 780/86(T)

To

The Registrar,
High Court of Karnataka,
High Court Building,
Bangalore.1.

Subject: Returning of W.P.No. 12151/81
to the High Court of Karnataka.

Sir,

Writ Petition No. 12151/81 on the file of the
High Court of Karnataka, Bangalore, transferred to this
Tribunal under Section 29 of the Administrative Tribunal
Act, 1985, is returned herewith for necessary action, in
pursuance of this Tribunal's Order Dated 24.7.1986,
copy of which is enclosed herewith.

[Signature]
REGISTRAR.

[Signature]
o/c P.V.S.

Encl: Entire Records of the Case.

KRM

[Signature]
4/8/86
Deputy Registrar,
High Court of Karnataka, Bangalore