

ORDER

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

ON WEDNESDAY THE 16TH DAY OF JULY'86.

P R E S E N T

THE HON'BLE MEMBER (JUDICIAL) : SHRI CH.RAMAKRISHNA RAO
THE HON'BLE MEMBER(ADMINISTRATIVE): SHRI L.H.A.REGO

IN APPLICATION NO.843/86(T)
(W.P.No.29584/81)

Shri H.V.Anand,
Sr.Stenographer,
Indian Institute of Management,
33, Langford Road,
Bangalore.27. ... Applicant.

Versus

1. The Indian Institute of Management,
33, Langford Road,
Bangalore.560 027.
2. The Union of India
(rep. by Secretary),
Min. of Education,
New Delhi.3. ... Respondents.

ORDER

In the above said application this Tribunal has
passed the following order:-

"Shri K.Sridhar, Advocate, present for Shri H.S.
Jois, counsel for applicant. Shri S.S.Ramdas,
advocate present for Shri S.G.Sunderswamy, coun-
sel for 1st respondent and Shri M.Basavaraju ,
counsel for 2nd respondent present.

Both parties are agreed that no notifi-
cation has been issued U/s 14(2) of the Adminis-
trative Tribunals Act, 1985, so as to attract the
jurisdiction of the Central Administrative Tri-
bunal over the Indian Institute of Management,
the 1st respondent herein. Since the prayer in
the W.P. is to declare the Memo dated 15.7.80 and
also subsequent memos issued by the 1st respon-
dent as illegal and arbitrary, such a notification
is a sine qua non for entertaining the Writ Petition
transferred by the High Court, to this Bench of the
Tribunal. We therefore direct the Registrar to take
steps to retransfer this W.P. to the High Court
addressing its Registrar suitably in the matter.

Given under my hand and ^{1/2} seal of this Tribunal
[Signature]

REGISTRAR.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

U.P.C.

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

APPLICATION NO. 843 /86 (T)

WRIT PETITION NO. 29584/81

APPLICANT

RESPONDENT(S)

H. V. Anand

versus The Indian Institute of
Management & Ann.

To

- 1) Sri B. S. Jos. for Applicants.
- 2) Sri S. G. Sundar Swamy for R1
- 3) Sri. N. Basavaraju. for R2.

Writ Petition No 29584/81 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 843/86 is
posted before the Bench on 16.7.86 for fixing the
date for final hearing. Regarding Meritability of case.

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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elc

Existed
10/11

Copy to :-

1. Shri H. S. Jois, Advocate,
150/36, National High School Road,
Visveswarapuram, Bangalore - 560 004
2. Shri. S.G. Sunderswamy, Advocate,
Keshava Nivas, No. 24, I Main Road,
Gandhi Nagar, Bangalore - 560 009
3. Shri M. Basavaraju,
Central Govt Standing Counsel,
High Court Building,
Bangalore - 560 001

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCHCOMMERCIAL COMPLEX(BDA)
INDIRANAGAR
BANGALORE - 560 038

WEDNESDAY, THE 16TH OF JULY, 1986

PRESENT

THE HON'BLE MEMBER(JUDICIAL) : SHRI CH. RAMAKRISHNA RAO

THE HON'BLE MEMBER(ADMINISTRATIVE) : SHRI L.H.A. REGO

IN

APPLICATION NO 843/86(T)
(WP NO. 29584/81)H.V. Anand, Senior Stenographer,
Indian Institute of Management,
33, Langford Road,
Bangalore - 560 027

: Applicant

VERSUS

1. The Indian Institute of Management,
33, Langford Road,
Bangalore - 560 027
(represented by its Director)
2. The Union of India,
(represented by its Secretary, Ministry
of Education, New Delhi-3) : Respondents

O R D E R

In the above Application this Tribunal has passed the
following Order:-

*Shri K.Sridhar, Advocate, present for Shri M.S. Jois,
Counsel for applicant. Shri S.S. Ramdas, Advocate present for
Shri S.G.Sunderswamy, Counsel for 1st respondent and Shri
M.Basavaraju, Counsel for 2nd respondent present.

Both parties are agreed that no notification has been issued
U/s 14(2) of the Administrative Tribunals Act, 1985, so as to
attract the jurisdiction of the Central Administrative Tribunal over
the Indian Institute of Management, the 1st ~~respondent~~ respondent
erein. Since the prayer in the W.P. is to declare the Memo
ited 15-7-80 and also subsequent memos issued by the 1st respondent
a illegal and arbitrary, such a notification is a sine quo non
for entertaining the writ petition transferred by the High Court,
to this Bench of the Tribunal. We therefore, direct the Registrar
to take steps to retransfer this W.P to the High Court addressing
its Registrar suitably in the matter".

Given under my hand and the seal of this Tribunal, this
01st day of August, 1986.

REGISTRAR

Date	Office Notes	Orders of Tribunal
	<p>A date may be fixed for intimation to both the parties also regarding jurisdiction</p> <p style="text-align: right;">30/6</p> <p><u>Regis</u></p> <p>Notice to parties forwarded their advocates.</p> <p>Indian Institute of management is a registered society. As no notifications us 14(2) of the Act is issued in relation to IIM this Tribunal has no jurisdiction post before hence on 16.7.86 to hear on matter mainly - It is held that the tribunal has no jurisdiction over the matter has to go back to the State High Court as it is a transferred work</p> <p style="text-align: right;">P.C. 17.86</p> <p>Notice issued to parties through their respective advocates on 30/6/86</p> <p style="text-align: right;">#317 order issued to the applicants & respondents is added</p>	<p>16.7.1986:</p> <p>Shri K. Sridhar, Advocate, present for Shri H.S. Jos, counsel for applicant. Shri S.S. Ramdas, Advocate, present for Shri S.G. Sundarwamy, counsel for 1st respondent, and Shri M. Basavaraju, counsel for 2nd respondent present.</p> <p>Both parties are agreed that no notification has been issued U/s 14(2) of the Administrative Tribunals Act, 1985, so as to attract the jurisdiction of the Central Administrative Tribunal over the Indian Institute of Management, the 1st respondent herein. Since the prayer in the W.P. is to declare the Memo dated 15.7.80 and also subsequent memos issued by the 1st respondent as illegal and arbitrary, such a xxx notification is a <u>sine qua non</u> for entertaining the writ petition transferred by the High Court, to this Bench of the Tribunal. We therefore direct the Registrar to take steps to retransfer this W.P. to the High Court addressing its Registrar suitably in the matter.</p> <p style="text-align: right;">(L.H.A. REGO) (CH. RAMAKRISHNA RAO) MEMBER (AM) & MEMBER (JM) 2 16.7.86. 16.7.86. dms.</p>
5-8-86		

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL ADDITIONAL BENCH,
BANGALORE

ORDER SHEET

Application No. 843 of 1986

Applicant

Respondent

C.W.P 29584/81

Advocate for Applicant

Advocate for Respondent

Date	Office Notes	Orders of Tribunal
30-6-86	<p>This writ petition was obtained from High Court of Karnataka cl 529 of Administrative Tribunals Act 1985</p> <p>There are two respondents in this application. Both of them have been served and represented by counsel. Objections have not been filed. Matter is ready for being posted before bench.</p> <p><u>Re Jurisdiction</u></p> <p>The Applicant is working in first respondent institution. It seems that first respondent institution do not fall under Administrative Tribunal Act.</p> <p>Respondents and their counsel may be intimated regarding fresh date of hearing. Applicant may be intimated through his counsel.</p>	

—call—

No. HCE. 358/85.

High Court of Karnataka,
Bangalore,

Dated :

CERTIFICATE

Certified that the writ petition No. 29584/81
filed by Shri..... H. V. Anand.....
in this High Court, shall stand transferred to the Central
Administrative Tribunal, Bangalore on 1-11-85 as per
Section 29 of the Administrative Tribunals Act 1985.

Manikanta

(VAIJANATHAPPA)
IV Deputy Registrar.