

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
.....

Commercial Complex(BDA),
Indiranagar,
Bangalore- 560 038.

Dated: 13 Oct 87

APPLICATION NO 845 / 87 (T)

~~xxxxxx~~ O.S. No. 86/85 in the Court of Addl. Munsiff, Sirsi

APPLICANT K. Sheshgiri

Vs

RESPONDENTS Secretary to the Govt. of
Karnataka, Public Works Department
and 5 Ors.

To

1. Sri K. Sheshgiri Bhat,
S/o Sri Vasista Bhat,
Employee of PWD,
Near Shaneswar Temple,
Banavasi Road, SIRSI,
2. The Secretary,
Public Works Department,
Communication & Building,
Vidhan Souda, Bangalore,
3. The Chief Engineer,
Public Works Department,
Communication and Building,
Krishna Rajendra Circle,
Bangalore.
4. The Executive Engineer,
Haveri Division,
Public Works Department,
Haveri Town, Dist. Dharwar,
5. The Deputy Commissioner,
Uttar Kannada, Karwar,
6. The Tahasildar, Sirsi,
Sirsi Town, North Karnataka, *Caravim*.
7. The Revenue Inspector,
Sirsi Town, Sirsi,
8. Sri E. M. Hagde, Advocate,
C/o Shri R.G. Bhat, Advocate,
SIRSI (Uttar Karnataka) - 581 401.
(C. H. Kannada)

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~copy~~

~~INTERIM ORDER~~ passed by this Tribunal in the above said application
on 7.10.1987.

RECEIVED 8 copies 14/10/87.

Diary No. 1293/CR/87

Date: 14-10-87

Encl: as above.

ta/

Hare
SECTION OFFICER
(JUDICIAL)

**In the Central Administrative
Tribunal Bangalore Bench,
Bangalore**

ORDER SHEET

Applicant

K. Seshgiri Bhat

Advocate for Applicant

S. S. H. Hegde & co.

Application No. *8215* of 1987 (T)

O. S. No. 86/85 (Addl.)

Munsiff Court, Sirsi

Dr. No. 211 (R) (S.T.)

Respondent

*Secy, State Govt. &
Karn. & org.*

Advocate for Respondent

A. G. P.

Date	Office Notes	Orders of Tribunal
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KSPVC/LHARM(A)
7.X.1987.

Orders on the office objections:

On an examination of the papers received from the Court of the Munsiff, Sirsi, the office has opined that O.S. 86 of 1985 transferred to this Tribunal from the Court of the Munsiff, Sirsi, does not pertain to a service matter of the Central Government, which alone can be adjudicated by this Tribunal under the Administrative Tribunals Act, 1985, ('Act').

We have carefully perused the office objections, the suit papers and the order made by the learned Munsiff on 21.9.1987.

In O.S.No. 86/85, one Shri K. Seshgiri Bhat, an employee working in the Public Works Department of the Government of Karnataka, while challenging a notice of recovery dated 13.8.1985 issued by the Tahsildar, Sirsi, has sought for a permanent injunction restraining the defendants in that suit from proceeding with the recovery of the said amount against him.

An examination of the plaint and the suit papers discloses that the claim if at all, pertains to a service matter of the Karnataka Government or Karnataka State for which a separate Tribunal under Section 15 of the Act has been constituted and functioning from 6.10.1986. The subject matter of the suit does not pertain to a service matter of the Central Government, over which this Tribunal has competence to adjudicate. From this, it follows that the order made by the learned Munsiff on 21.9.1987 and communicating the same by Lr.No. 1954 of 1987 dated 28.9.1987, transferring O.S.No. 86/85 filed by the plaintiff, is to an incompetent Tribunal, and cannot be taken on the file of this Tribunal and proceeded with.

We have, therefore, no alternative but to retransfer this suit to the Court of the Munsiff, Sirsi, for being dealt with according to law.

PTO



At no Sds/87(1)

Office Notes

Orders of Tribunal

We, therefore, direct the Registrar of this Bench of the Tribunal to retransfer O.S.No. 86/85 to the Court of the Munsiff, Sirsi, together with an authenticated copy of this order.

Res. Prasad
VICE CHAIRMAN

[Signature]
MEMBER(A)
7.8.87

dms.

7/12/87



- True Copy -

[Signature]
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

Registered AD

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indiranagar,
Bangalore-38.

A.No.845/87(T)

Date: 15.10.87.

To

The Additional Munsiff,
Court of the Addl. Munsiff,
and II Addl. J.M.F.C.,
Sirsi (U.K.),
Karnataka.

Sir,

Subject: O.S.No.86/85- transfer of case records- reg.

Consequent on the orders dated 7.10.87 (authenticated copy enclosed) of this Tribunal, all case records connected with O.S.No.86/85 earlier received with your letter No.1954 of 1987 dated 28.9.87 are transferred herewith for further disposal at your end.

Yours faithfully,

O/c

B.V. Venkata Reddy
(B.V.VENKATA REDDY)
Deputy Registrar(J).

Encl: Case records.

one file.
RECEIVED one copy- 16/10/87

Diary No. 1311/CR/87

Pl. Sirsi fair with Case Records. by RPAAD.
RR
15/10/87
Date: 16.10.87 *AS*

**In the Central Administrative
Tribunal Bangalore Bench,
Bangalore**

ORDER SHEET

Transfer

Applicant K. S. Sheshgiri Bhat Advocate for Applicant S. S. H. Hegde & co

Application No. 8215 of 1987 (T)
O. S. No. 86/85 (Add.)
Munsiff Court, Sirsi

Respondent Secy. State Govt. & Karm. & org. Advocate for Respondent A. G. P.

Date	Office Notes	Orders of Tribunal
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KSPVC/LHARM(A)
7.X.1987.

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PTO



A. No. S. 86/85 (C. 1)

Office Notes

Orders of Tribunal

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Asst. Registrar
VICE CHAIRMAN

dms.

7/12/1987

[Signature]
MEMBER (A)
7.12.87

- True Copy -

[Signature]
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDL. BENCH
BALASORE