

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
* * * * *

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 5 SEP 1988

APPLICATION NO. 1184

/88(F)

W.P. NO. /

Applicant(s)

Shri C. Perumal

To

1. Shri C. Perumal
40, Kennedy's 4th Lane
Gorgaum PO
K.G.F. Kolar 563 120

2. Shri S. Ranganatha Jois
Advocate
36, 'Vagdevi'
Shankarapuram
Bangalore - 560 004

Respondent(s)

v/s The Secretary, M/o Defence, New Delhi & 3 Ors

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/STAY/INTERIM ORDER
passed by this Tribunal in the above said application(s) on 29-8-88.

Received
K. N. Nair
S. 9/88
Encl : As above

O/C

R. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE TWENTY NINTH DAY OF AUGUST, 1988.

Present: Hon'ble Shri Justice K.S.Puttaswamy... Vice-Chairman
Hon'ble Shri L.H.A. Rego ... Member (A)

APPLICATION NO. 1184/88

C. Perumal
S/o S Channappa,
Aged about 34 years.
R/o Door No. 40,
Kennedy's 4th Lane,
Oorgaum PO
K.G.F. Kolar 563 120.

Applicant

(Shri S. Ranganath Jois.....Advocate)

Vs.

1. The Union of India represented by its Secretary, Ministry of Defence, Army Headquarters, New Delhi - 11.
2. The Commandant, MEG and Corps of Engineers, Dickenson Road, Ulsoor, Bangalore-1.
3. The Senior Records Officer, Records Office, MES P.B. No.4201 Shivanchetty Garden PO, Bangalore-42.
4. The Adjutant General, Army HQs., DHQ Post, New Delhi -11.

Respondents

This application having come up for hearing before this Tribunal to-day, Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman, made the following :-

O R D E R

This is an application made by the applicant under Section 19 of the Administrative Tribunals Act, 1985 (Act).



2. The applicant, who was a member of the Armed Forces of the Union of India and was discharged from the same in 1968, agitated before the authorities for grant of disability pension. But that had not been acceded to by the authorities. Hence the applicant has approached this Tribunal for appropriate reliefs.

3. Shri S. Ranganath Jois, learned counsel for the applicant, contends that this application was maintainable and was in time, and therefore the same should be adjudicated on merits.

4. On an examination of the papers, the Registrar has opined that the claim made by the applicant was as a member of the Armed Forces of the Union of India, and therefore this Tribunal has no jurisdiction to entertain this application. Shri Jois has not shown us as to how this objection raised by the Registrar is erroneous.

5. Whatever be the origin of the service with which we are not concerned, the claim of the applicant undoubtedly relates to his service as a member of the Armed Forces of the Union. Section 2 of the Act bars this Tribunal from entertaining any grievance of a member of the Armed Forces of the Union. We are therefore of the view that the objection raised by the Registrar is correct, and the ~~same~~ should be upheld.

6. When once we find that we have no jurisdiction



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to entertain this application, the question of our examining limitation and all other matters does not arise. We, therefore, decline to examine them.

7. In the light of our above discussion, we hold that this application is liable to be rejected as not maintainable. We, therefore, reject this application as not maintainable.



Sd/-

(K.S.PUTTASWAMY)
VICE-CHAIRMAN

Sd/-

(L.H.A.REGO) 29-8-96
MEMBER (A)

TRUE COPY

By *Deputy Registrar*
DEPUTY REGISTRAR (JDL) 3/95
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE