

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

0.A.296/90

Hiralal s/o.Roshan Khare,
r/o.Danaganj,
Barni Karkhana,
Sweeper Colony
P.O.Itwari,
Nagpur.

.. Applicant
vs.

1. The Director,
Govt. of India,
Ministry of Home Affairs,
National Civil Defence College,
61/1,Civil Lines,
Nagpur.
2. The Director General,
National Civil Defence,
Govt. of India,
Ministry of Home Affairs,
Express Building(2nd Floor),
Bahadurshaha Jafar Marg,
New Delhi - 110 001.
3. The Secretary,
Govt. of India,
Ministry of Home Affairs,
North Block,
New Delhi.

.. Respondents

Coram: Hon'ble Member(A)Shri P.S.Chaudhuri

Hon'ble Member(J)Shri D.K.Agrawal

Appearances:

1. Mr.P.M.Deshkare
Advocate for the
Applicant.
2. Mr.Ramesh Darda
Counsel for the
Respondents.

ORAL JUDGMENT:
(Per D.K.Agrawal,Member(J)) Date: 21-6-1990

This application under Section 19 of the Central Administrative Tribunals Act,1985 has been filed by the applicant against the order of removal from service. The brief facts of the case is that the applicant, who was a Sweeper in the National Civil Defence College at Nagpur, was chargesheeted and awarded the punishment of removal from service by order dated 13-4-1979. The appeal dated 9-6-1979

was also rejected. The order of the Appellate Authority is not on record. However, the counsel for the respondents on the basis of the instructions from the respondents stated that the appeal was rejected on 20-11-1979. The present application is filed on 30-3-1990.

2. We have heard the counsels for both the parties and have given our best consideration to the cause of action but we are unable to help him out. The reason is that the Administrative Tribunals Act, 1985 excludes our jurisdiction in respect of the matters in which cause of action arose before 1-11-1982 and the aggrieved person did not approach any Court for redressal of his grievance. Consequently we hold that we have no jurisdiction to entertain this application.

3. The application is dismissed in limine without any order as to costs.

Dr. Grawal
(D.K.AGRAWAL)
Member(J)

P.S.Chaudhuri
(P.S.CHAUDHURI)
Member(A)