

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

CAMP AT NAGPUR

(2)

O.A. NO: 450/91

199

~~Ex-Axx Nox~~

DATE OF DECISION 30.12.1991

L.P. Shah

Petitioner

Advocate for the Petitioners

Versus

The Director, The Film & TV Respondent
Institute & Ors.

Advocate for the Respondent(s)

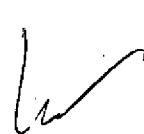
CORAM:

The Hon'ble Mr. Justice U.C. Srivastava V/C.

The Hon'ble Mr. M.Y. Priolkar, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

mbm*


(U.C. Srivastava)
V/C

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY
* * * * *

(3)

Original Application No. 450/91

Lallubhai Prabhuhhai Shah,
Chandraprabha,
Prabhat Road,
Pune 411 004.

... Applicant

v/s

1. The Director,
The Film & TV Institute of India
(Society), Law College Road,
Pune 411 004.
2. The Chairman,
Governing Council,
The Film & TV Institute of India,
Law College Road,
Pune 411 004.
3. The Secretary,
Ministry of Information &
Broadcasting,
New Delhi 110 001. ... Respondents

CORAM : Hon'ble Vice-Chairman, Shri Justice U.C.Srivastava
Hon'ble Member (A), Shri M.Y. Priolkar

Appearances:

Applicant in person.

None appears for the
respondents.

ORAL JUDGMENT:

Dated : 30.12.1991

(Per. U.C.Srivastava, Vice-Chairman)

The applicant who was earlier a Government servant but lateron he joined the Film and TV Institute of India (Society) where he has been absorbed has approached the Tribunal. He has claimed certain reliefs including arrears of salary as well as age of superannuation on the basis of some judgement given by the Bombay High Court. No notification in respect of Film and TV Institute of India (Society) has yet been issued by the Central Government nor the said body ^{is a} "state" within the meaning of Article 13 of the Constitution of India. It is neither being state nor instrumentality of the state and there being no notification in respect

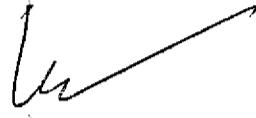
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(4)

of this Society the Tribunal has no jurisdiction to entertain this application. The application is accordingly rejected on this ground. No order as to costs.



(M.Y. Priolkar)
Member(A)



(U.C. Srivastava)
Vice-Chairman

v/-

CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

BOMBAY.

Review Appli. No. 134/92

in

O.A. No. 450/01

Lallubhai Prabhuhhai Shah
Chandrabhaga,
Frabhat Road. Applicant.

Vs.

1. The Director,
The Film & TV Institute of India
(Society), Law College Road,
Pune 411 004.
2. The Chairman,
Governing Council,
The Film & TV Institute of India,
Law College Road,
Pune 411 004.
3. The Secretary,
Ministry of Information &
Broadcasting,
New Delhi 110 001. Respondents.

Coram: Hon'ble Mr. Justice N.C. Srivastava, I.C.

Hon'ble Mr. M.Y. Trivedi, Member (A)

DT 22/4/92

(By Hon'ble Mr. Justice N.C. Srivastava, I.C.)

This Review Application is directed against our order dated 30.12.1991 rejecting the application filed by the applicant on the ground of jurisdiction. In respect of Society controlled by Government unless a notification is not issued by the Government under section 14(iii) of the Administrative Tribunal Act bringing it within the jurisdiction of Central Administrative Tribunal, no dispute regarding recruitment and other Service matter is entertainable by C.A.T. There is no such notification in respect of the Film and T.V. Institute of India (Society). Any written statement given by such Society before a District Court which too has not been correctly read in the matter of all or any admission / any other if any jurisdiction of C.A.T., will not confer jurisdiction

(6)

- 2 -

on C.A.T. to entertain any such dispute unless conferred in accordance with statute which is still wanting. The review application is without merit and is rejected.

Y. S. Jaiswal

Member (A)

Lev

Vice-Chairman.

DATED :- 22 - 9 - 1992.

/am/