

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

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ST
O.A. NO: 580/91 199
T.A. NO: --- (O.A. 672/91)

DATE OF DECISION 31-12-1991

Balkrishnan Thirumalai Petitioner

Mr.V.B.Rairkar Advocate for the Petitioners

Versus

Union of India & Ors. Respondent


Mr.J.G.Sawant Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice U.C.Srivastava, Vice-Chairman

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

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



(U.C.SRIVASTAVA)

MD

mbm*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

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St.No.580/91

Balkrishnan Thirumalai,
R/at. 27 47-289,
Kirti Nagar, Post New Sanghvi,
Pune - 411 027.

.. Applicant

vs.

1. Union of India
through
Secretary,
Ministry of Defence,
South Block,
New Delhi.
2. The General Officer,
Commanding,
1 Armoured Division,
C/o. 56 A.P.O.
3. Commandant Armoured
Corps Centre & School,
Ahmednagar,
4. Commandant Headquarter,
1 Armd Bde C/o. 56 A.P.O.
5. The Commandant
69 Armd Regt
C/o. 56 A.P.O.

.. Respondents

Coram: Hon'ble Shri Justice U.C.Srivastava,
Vice-Chairman

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

Appearances:

1. Mr.V.B.Rairkar
Advocate for the
Applicant.
2. Mr.J.G.Sawant
Advocate for the
Respondents.

ORAL JUDGMENT:

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

Date: 31-12-1991

By means of this application the applicant who was initially enrolled in Army as GD in the year 1976 and after certain transfers in December,1984 ~~he~~ was transferred to 69,Armed Regiment,C/o.99 A.P.O., is challenging the order dtd. 4-6-1991 discharging the services of the applicant.

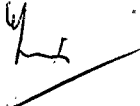
(u)

2. As the applicant is governed by the Army Act the Tribunal has no jurisdiction to entertain this application.

3. Faced with this situation the learned counsel for the applicant, who earlier contended that the Tribunal has jurisdiction to entertain this application, stated that liberty may be granted to him to file writ petition before the High Court.

4. It is for the applicant to file writ petition ~~before~~ before the High Court if so desired as the Tribunal has no jurisdiction and we cannot pass any such order.

5. Learned counsel then stated that he may be allowed to withdraw this application. Accordingly this application is dismissed as withdrawn.


(M.Y. PRIOLKAR)
Member(A)


(U.C. SRIVASTAVA)
Vice-Chairman

MD