

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

(3)

NEW BOMBAY BENCH

O.A. No. 81  
T.A. No.

1991  
1991

DATE OF DECISION 12-4-1991

Dr. N.S. Dumbo Petitioner

Shri A.J. Kenkare Advocate for the Petitioner(s)

Versus

State of Goa through the Chief Respondent  
Secretary, Secretariat, Panaji, Goa.  
& 3 ors.

Shri G.U. Bhobe Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. P.S. Chaudhuri, Member(A)

The Hon'ble Mr. T.C. Reddy, Member(J)

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Yes*
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 ?

} *Yes*

*P. S. Chaudhuri*  
(PS CHAUDHURI)  
M(A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH  
AT PANAJI GOA

Original Application No. 81/91

Dr. N.S.Dumo

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Applicant

vs

1. State of Goa through  
The Chief Secretary,  
Secretariat, Panaji, Goa.
2. Director of Health Services,  
Campal. Panaji, Goa.
3. Union of India  
through  
The Secretary  
Department of Health,  
Ministry of Health & Family Welfare,  
Government of India,  
Nirman Bhavan, New Delhi.
4. Director General of Health  
Services, Nirman Bhavan,  
New Delhi.

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Respondents.

Coram: Hon'ble Mr. P.S.Chaudhuri, Member (A)  
Hon'ble Mr. T.C.Reddy, Member (J)

Advocates:

Dated: 12-4-1991

Shri A.J.Kenkare  
for the applicant

Shri G.U.Bhobe,  
for the respondents.

Tribunal's Order

(Per: Mr. P.S.Chaudhuri, Member (A))

This application under Section 19 of the Administrative Tribunals Act, 1985 was filed on 5-2-1991. In it, the applicant who is State Nutrition Officer, Director of Health Services, Goa prays that his post be equated to that of Asstt. Director of Health Services in the then scale of pay Rs. 675-1300 w.e.f. 25-3-68 and ~~communicated~~ <sup>connected and</sup> consequential reliefs.

2. The applicant was first appointed as Rural Medical Officer under the Directorate of Health Services by order dated 7-8-63. He was appointed as a Assistant Health Officer, later redesignated as Medical Officer by order dated 9-3-1965. By order dated 27-2-1968 the applicant

was appointed as a Medical Officer for Nutrition Cell .

By order dated 26-10-72 the designation of this post was changed to that of State Nutrition Officer.

3. We have heard Mr. A.J.Kenkare learned counsel for the applicant and Mr. H.R.Bharne holding the brief of Mr. G.U.Bhobe learned counsel for the respondents.


4. By Part VIII of the Goa, Daman and Diu Reorganisation Act, 1987, provisions have been made as to services in the former Union Territory of Goa, Daman and Diu. By Section 60 contained therein provisions have been made for the final allotment of persons employed in connection with the affairs of the Union Territory of Goa, Daman and Diu to either the State of Goa or the Union Territory of Daman and Diu. By notification dated 31.5.1990 published on 26.7.1990 which comes into effect on and from 30.5.1990, it has been ordered that persons whose names are not included in Schedule-I appended to that order shall be deemed to have been finally allotted to the services of the State of Goa. It is not denied that the applicant's name does not feature in Schedule-I of the said order. Thus, from 30.5.1990 the applicant is admittedly an employee of, and holding a civil post under, the State of Goa and from that date he ceases to come under the jurisdiction of the Central Administrative Tribunal. In terms of the provisions of the Administrative Tribunals Act, 1985 we have yet no jurisdiction in respect of the employees of the State of Goa.

5. ~~In~~ this view of the matter we hold that we have no jurisdiction in the present application.

6. We accordingly order that the original of this application, along with a copy of this order be returned to the applicant for being presented in the proper forum

if he so desires and if he is so advised. The original of this order and copy of this application be retained as part of the Tribunal's record.

  
(T.C.Reddy)  
Member (J)

  
(P.S.Chaudhuri)  
Member (A)