

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH  
MUMBAI.

O.A. No.1189/93

THIS THE 24TH DAY OF JUNE, 1999.

HON'BLE MR.JUSTICE K.M.AGARWAL, CHAIRMAN  
HON'BLE MR.R.K.AHOJA, MEMBER(A)

Padamsingh Bisht  
working as Waiter in the  
Catering department in Dining  
Car Unit, Bombay Central on  
Western Railway and  
residing at S/115, School Block  
Sakharpur, New Delhi-11 0092

..... Applicant

(BY ADVOCATE SHRI M.S.RAMAMURTHY)

vs.

1. Union of India,  
through the general  
Manager, Western Railway  
Churchgate,  
Bombay-400 020
2. The Chief Catering Services Manager,  
Western Railway, Churchgate,  
Bombay-400 020
3. Mr.D.I.Shaikh,  
Dy.Chief Catering Inspector  
Western Railway  
Bombay Central,  
Bombay-400 008.
4. Assistant Commercial Manager(Mobile)  
Western Railway,  
Bombay Central,  
Bombay-400 008.

... Respondents

(BY ADVOCATE SHRI V.S.MASURKAR)

ORDER(ORAL)

JUSTICE K.M.AGARWAL:

In this O.A. the main reliefs claimed by the applicant  
are as follows:-


- " (a) that it be declared that applicant is  
not liable to pay the said debit of  
Rs.6454-25.
- (b) that it be declared that the debit  
statement prepared on 16.9.1993

and altered to 14.9.1993 by respondent No.3 is a false and fabricated document.

- (c) that it be declared that the inventory statement prepared on 13.9.1993 by Sh.Mathai, is correct and valid in law."

We are of the view that unless disputed questions of facts are not gone through and decided, the aforesaid reliefs cannot be granted. The reliefs also do not appear to be directly related to recruitment and matters concerning recruitment, to any All India Service or, to any Civil Service etc. of the Union and, therefore, it does not appear that we have any jurisdiction under Section 14 of the Administrative Tribunals Act, 1985 to decide over the above subject concerning debit statement and its alteration. The dispute appears to be of civil nature and proper remedy appears to be a civil suit for declaration and for such consequential reliefs as may be advised to the applicant.

2. For the aforesaid reasons, we are of the view that we have no jurisdiction to entertain, hear or decide this O.A. Accordingly, it is hereby dismissed for want of jurisdiction. No costs.

  
( K.M.AGARWAL )  
CHAIRMAN

  
( R.K.AHOOGIA )  
MEMBER (A)