

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION No. 771/93 and 199794/93

Date of Decision: 28.8.96

Yamin Mohammed Shaikh & Ors.

Petitioner/s

Shri P.K.Handa.

Advocate for the
Petitioner/s

V/s.

Union of India & Ors.

Respondent/s

Shri N.K.Srinivasan.

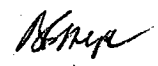
Advocate for the
Respondent/s

CORAM:

Hon'ble Shri B.S.Hegde, Member(J),

Hon'ble Shri M.R.Kolhatkar, Member(A).

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?


(B.S.HEGDE)
MEMBER(J).

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH.

1. Original Application No.771/93.
2. Original Application No.794/93.

28, this the August day of 1996.

Coram: Hon'ble Shri B.S.Hegde, Member(J),
Hon'ble Shri M.R.Kolhatkar, Member(A).

1. Original Application No.771/93.

- (1) Yamin Mohammed Shaikh
- (2) Ramanbhai Khodabhai
- (3) Mansukh M.Sohanlal
- (4) Bhagubhai Mahijibhai
- (5) Vinod Ramanbhai
- (6) Yashwant Narayan
- (7) Kanti Laxman
- (8) Dilshadalam W
- (9) Mohamad Alam A.
- (10) Gulabsingh Fatehsingh
- (11) Mukim Anwar W.
- (12) Chuttasingh M
- (13) Yakub Ismail

... Applicants.

C/o. P.K.Handa, Advocate
Opp. Apsara Talkies,
Above Pratapnagar Post Office,
Vadodara - 390 004.

(By Advocate Shri P.K.Handa)

2. Original Application No.794/93.

Kamleshkumar Baburao Bhonsle,
At 784/A/3, Saral Chand,
Raghunath Chawle, Behind Police
Commissioner's Office,
Shahibag,
Ahmedabad - 380 004.

... Applicant.

(By Advocate Shri P.K.Handa)

V/s.

1. Union of India, Ministry of Railways,
represented by the General Manager,
Western Railway,
Churchgate,
Bombay - 20.

...2.

[Signature]

2. Divisional Railway Manager,
Western Railway,
Pratapnagar,
Baroda - 390 004.

3. Sr. Divl. Mechanical Engineer,
DRM Office, Western Railway,
Pratapnagar,
Baroda - 390 004.

... Respondents.

(By Advocate Shri N.K.Srinivasan)

O R D E R (ORAL)

(Per Shri B.S.Hegde, Member(J))

Heard Shri P.K.Handa for applicants and
Shri N.K.Srinivasan for the Respondents.

2. The question for consideration is whether the applicant can file an application under section 19 against an award of the Industrial Tribunal. The Apex Court in Krishan Prasad Gupta V/s. Controller, Printing & Stationery (JT 1995(7) S.C. 522) ^{has} held that Central Administrative Tribunal has no jurisdiction to entertain an application under section 19 of the Administrative Tribunals Act against an award of Labour Court and Industrial Tribunal.

3. Accordingly, we are of the view, that the Tribunal does not have jurisdiction to entertain the grievances of the applicants.

4. In view of the Apex Court decision it is not necessary to go into the merits of the case and the

...3.

Bm

O.A. is dismissed with liberty to the applicants to approach appropriate forum, if so advised. No order as to costs.

M.R. Kolhatkar

(M.R. KOLHATKAR)
MEMBER (A)

B.S. Hegde

(B.S. HEGDE)
MEMBER (J).

B.