

7

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 832/93

Date of Decision: 3.8.1999

T.U.Kavakar & Ors.

Applicant.

Shri S.S.Karkera for Sh.M.S.Karnik

Advocate for  
Applicant.

Versus

Union of India & Ors.

Respondent(s)

Shri Ravi Shetty for Shri R.K.Shetty

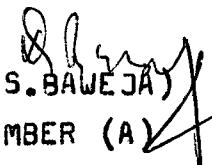
Advocate for  
Respondent(s)

CORAM:

Hon'ble Shri. D.S.Baweja, Member (A)

Hon'ble Shri. S.L.Jain, Member (J)

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

  
(D.S. BAWEJA)  
MEMBER (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI

8

QA.NO. 832/93

Tuesday this the 3rd day of August, 1999

CORAM : Hon'ble Shri D.S.Baweja, Member (A)  
Hon'ble Shri S.L.Jain, Member (J)

1. Tulshiram Uddhav Kavekar
2. Mohan Uddhav Kavekat
3. Ashok Keshav Varhade
4. S.S.Tambe

All residing at C/o. Rekha Dasare,  
Advocate, 6586 Laxmi Karanja,  
Ahmednagar.

... Applicants

By Advocate Shri S.S.Karkera  
for Shri M.S.Karnik

V/S.

1. Union of India through  
the Secretary,  
Ministry of Defence,  
South Block, New Delhi.
2. Chief of Army Staff,  
Army Headquarters,  
New Delhi.
3. Commandant, Armoured Corps  
Centre and School,  
Ahmednagar.

... Respondents

By Advocate Shri Ravi Shetty  
for Shri R.K.Shetty

ORDER (ORAL)

(Per: Shri D.S.Baweja, Member (A))

This application has been filed jointly  
by 4 applicants who are working in the Printing  
Press of the Armoured Corps Centre and School at  
Ahmednagar. The applicants are claiming the relief

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9

of directing the respondents to grant the applicants the scale of pay as applicable to the permanent employees from the date of their initial appointment with consequential benefits.

2. The respondents have filed written statement opposing the application.

3. The applicants have not filed any rejoinder reply for the written statement.

4. Heard Shri S.S.Karkera on behalf of Shri M.S.Karnik for the applicant and Shri Ravi Shetty on behalf of Shri R.K.Shetty for the respondents.

5. The learned counsel for the respondents argued that the applicants are working in the Printing Press which is financed by the regimental funds and therefore the matter is beyond the jurisdiction of the Tribunal. He further brought out that this issue has been already examined in the recent order dated 24.6.1999 in OA.NO. 251/94 of this Bench, wherein it is held that the staff working in the Printing Press of the Armoured Corps Centre and School at Ahmednagar is financed by the regimental funds and therefore the staff of such organisation cannot agitate the matter before the Tribunal. This view has been taken in this OA. based on the judgement of the

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10

Hon'ble Supreme Court in the case of Union  
of India & Anr. vs. Chotelal & Ors., 1998(6)

SCALE 515. In view of what is held in OA.NO.  
we are of the view that  
251/94, the OA. is not maintainable before the  
Tribunal. The learned counsel for the applicant  
fairly conceded <sup>this</sup> but however makes a prayer that  
liberty may be granted to agitate the matter before the  
appropriate forum.

6. In view of the above, the OA. is  
dismissed for want of jurisdiction. Liberty  
is granted to the applicants to agitate the matter  
before appropriate forum if provided and if so  
advised. No order as to costs.

*(S.L.JAIN)*  
(S.L.JAIN)  
MEMBER (J)

*(D.S.BAWEJA)*  
(D.S.BAWEJA)  
MEMBER (A)

mrj.