

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 17/94

Date of Decision: 21.6.99

Vijay Kumar M. Patel

Applicant.

Shri I.J.Naik

Advocate for
Applicant.

Versus

Union of India and Ors.

Respondent(s)

Shri V.S.Masurkar.

Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice K.M.Agarwal, Chairman,

Hon'ble Shri. R.K. Ahooja, Member(A).

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

(K.M.AGARWAL)
CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO. 17/ 94.

Monday, this the 21st day of June, 1999

Coram: Hon'ble Shri Justice K.M.Agarwal, Chairman,
Hon'ble Shri R.K.Ahooja, Member(A).

Vijaykumar M.Patel,
C/o. I.J.Naik,
Parkota Street,
P.O. Daman - 396210
(By Advocate Shri I.J.Naik)

... Applicant.

V/s.

1. The Dy. Director,
Navodaya Vidyalaya Samiti,
Pune Region,
78, Mayur Colony, Kothrud,
Pune - 411 029.

3. Union of India, through
The Secretary, Ministry
of Human Resources Develop-
ment, Department of Education,
Shastri Bhavan,
New Delhi.

2. The Principal,
Jawahar Navodaya Vidyalaya,
At Post : Sili,
U.T. of Dadra and Nagar Haveli,
Pin : 396 230.

... Respondents.

(By Advocate Shri V.S.Masurkar)

: ORDER :

(Per Shri Justice K.M.Agarwal, Chairman)

The applicant is challenging the order of termination of his service by the Navodaya Vidyalaya Samiti, U.T. of Dadra and Nagar Haveli.


2. The learned counsel for the respondents submitted that the Jawahar Navodaya Vidyalaya is a Society registered under the Societies Registration Act, 1856. There was no notification under section 14 of the Administrative Tribunals Act extending the jurisdiction of this Tribunal over the said Society on the date when the said O.A. was filed by the applicant in the year 1991. It was also submitted that by subsequent notification dt. 21.1.1999, the said Society has now come under the jurisdiction of the Tribunal.

3. The learned counsel for the applicant submitted that
jurisdiction of the Tribunal to hear the O.A. must be

...2.

determined on the basis of the law on the date of hearing.

4. We find no merit in the contention of the learned counsel for the applicant. On the date of filing or on the date of taking cognizance of the matter this Tribunal ought to have had jurisdiction. There was no such jurisdiction and accordingly we are of the view that this O.A. be dismissed on the ground of want of jurisdiction. Accordingly, it is hereby dismissed for want of jurisdiction. No costs.


(R.K. AHUJA)
MEMBER (A)


(K.M. AGARWAL)
CHAIRMAN

B.