

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, MUMBAI

ORIGINAL APPLICATION NO.:- 588 of 1998

Dated this Friday the 13th day of May, 2011

CORAM:- HON'BLE SHRI JOG SINGH, MEMBER (J)

HON'BLE SHRI R. C. JOSHI, MEMBER (A)

Umindar Kumar Yadav,
Assistant Technical Officer,
National Airport Authority,
Sahar, Mumbai.
R/o B/13-7, New Airport Colony,
Sahar Road, Vile Parle (East),
Mumbai 400 099.

Applicant

(By Advocate Shri S.V.Marne)

Versus

1. Union of India,
through the Secretary,
Ministry of Tourism &
Civil Aviation, New Delhi.
2. The Director General of Civil
Aviation, New Delhi.
3. The Chairman,
National Airport Authority,
New Delhi.
4. The Director of Communications,
A.C.S., N.A.A.Mumbai.

ORAL ORDER

Per: Shri Jog Singh, Member (J)

This matter has been remanded by the
Hon'ble High Court vide order dated 18.11.2010 for



reconsideration. The relevant extract of the order is reproduced as under -

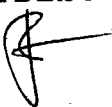
"(1) The order impugned is set aside. Original Application No.588 of 1988 is remanded back to the Central Administrative Tribunal, Mumbai for fresh decision. The Tribunal shall before deciding the petition on merits decide the following preliminary issues.

(a) Is the petition insofar as it seeks directions against respondent nos.3 and 4 in that petition is maintainable before the C.A.T.?

(b) If yes, can any effective relief be granted to the petitioner in that petition without issuing directions to the respondent nos.2 and 4?

(c.) Rule made absolute accordingly. No order as to costs."


2. Heard Shri S.V.Marne, learned counsel for the applicant. At the outset it is fairly brought to our notice by learned counsel for the applicant that this Tribunal lacks jurisdiction vis-a-vis respondents 3 & 4, namely, National Airport Authority. It is stated that no notification has been issued by the appropriate under Section 14 (2) of the Administrative Tribunals Act, 1985 bringing



the said authority under the purview of this Tribunal. Earlier also, in a similar matter, this Tribunal vide Order dated 27.8.2008 has dismissed OA 589/1998 (**R.S.Pillai Vs. Union of India & others**) on ground of lack of jurisdiction. The relevant extract of the order is reproduced below -

"7. The OA is, therefore, dismissed for want of jurisdiction and without expressing any opinion on the merit of the issues raised by the learned counsel for applicant. However, the applicant is at liberty to approach the appropriate forum for redressal of his grievance, if so advised, according to law. No order as to costs."

3. The learned counsel for the applicant seeks permission to withdraw this OA with liberty to approach the appropriate forum as per law. Liberty granted. The OA, accordingly stands dismissed as withdrawn. No costs.


(**R.C. Joshi**)
Member (A)


(**Jog Singh**)
Member (J)

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CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, MUMBAI.

CONTEMPT PETITION NO.27/2009
IN O.A. NO.588/1998

CORAM: HON'BLE SHRI JUSTICE A.S. BAGGA, MEMBER (J)
HON'BLE SHRI R.C. JOSHI, MEMBER (A)

Uminder Kumar Yadav
Residing at B/13-7
Near Airport Colony,
Sahar Road,
Vile Parle (E),
Mumbai 99
..... Applicant
(Applicant by Shri S.V.Marne, Advocate)

vs.

Dr. S.L.A. Zaidi,
Director General of Civil Aviation
East Block No.II and III
R.K. Puram,
New Delhi 110 022.
..... Alleged Contemnor
(Shri S.K. Chari, Advocate instructed by
M/s. M.V. Kini & Co.)

ORDER IN C.P.NO.27/2009 ARISING OUT OF
O.A. NO.588/1998 DATED 25.8.2009

This Contempt Petition has been filed by the original applicant in O.A. No. 588/1998 alleging non-implementation of this Tribunal's order dated 30.04.2001 by the respondents. Writ Petition was filed against the order of the Tribunal dated 30.04.2001 by the respondents which was dismissed. It is now stated that the said Writ Petition has been restored by the High Court and in view of this, the

