

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH  
AT JAIPUR

M.P. 67/91 in  
O.A. 849/89

Date of decision: 22.4.92

Ajit Kumar Mishra

- Applicant

Mr. U.D. Sharma

- Counsel for the Applicant  
(Union of India)

Versus

Union of India & Ors

- Respondents

Mr. P.V. Calla

- Counsel for the Respondents  
(Applicant in OA 849/89)

CORAM:

HON'BLE MR. KAUSHAL KUMAR, VICE-CHAIRMAN

HON'BLE MR. GOPAL KRISHNA, MEMBER (JUDICIAL)

MR. KAUSHAL KUMAR, VICE-CHAIRMAN

In this M.P. it has been stated that "the applicant who had been earlier posted at Jaipur had initially been transferred from Jaipur to Lucknow and subsequently transferred from Lucknow to Military Farm, Allahabad. The applicant had accepted voluntarily his said transfers and he has since joined his duty at Military Farm, Allahabad on 31.7.1991. Copies of transfer/movement order are annexed herewith and marked as Annexures R/1, R/2 and R/3 respectively".

"That it is therefore submitted that since the applicant is no longer posted within the jurisdiction of this Hon'ble Tribunal, this Hon'ble Tribunal has ceased to possess its jurisdiction, power and authority in this case and to keep this O.A. in its Registry and to exercise its jurisdiction and to decide the said O.A.".

We have heard the learned counsel Mr. U.D. Sharma and find no force in the contention made by him. Rule 6(1) of the Central Administrative Tribunal (Procedure) Rules, 1987 reads as follows:

6. Place of filing application:- (1) An application shall ordinarily be filed by an applicant with the Registrar or the Bench within whose jurisdiction -
- (i) the applicant is posted for the time being, or
  - (ii) the cause of action, wholly or in part, has arisen:



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Provided that with the leave of the Chairman the application may be filed with the Registrar of the Principal Bench and subject to the orders under Section 25, such application shall be heard and disposed of by the Bench which has jurisdiction over the matter.

It is conceded that the applicant, at the time when he had filed this application was posted at Jaipur and therefore the application was filed before the Jaipur Bench. This Bench continues to have jurisdiction to hear the matter. Merely because during the currency of the proceedings the applicant has joined at another place, this Bench does not cease to have jurisdiction over the matter.

The present M.P. is mis-conceived and is accordingly dismissed.

Sd/-

( Gopal Krishna )  
Judl. (Member)

Sd/-

( Kaushal Kumar )  
Vice Chairman



*[Signature]*  
28/4/92  
Section Officer (Judicial)  
Central Administrative Tribunal  
Jaipur Bench, JAIPUR.