

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 25/93

Date of Order: 8.1.1993

BETWEEN :

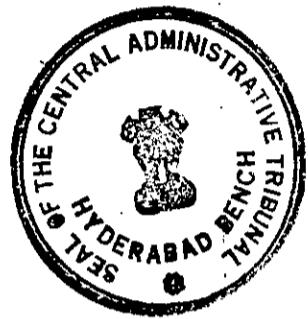
Smt. Sarojini Natarajan

.. Applicant.

A N D

1. Union of India,
Through Secretary,
Min. of Defence,
South Block,
New Delhi - 110 011.
2. Chief of Air HQs,
Air HQs,
Vayu Sena Bhavan,
New Delhi - 110 011.
3. Controller of Defence
Accounts (Pensions),
Allahabad.
4. Air Force Record Officer,
Subroto Park, New Delhi - 110 010.
5. The District Treasury Officer,
Guntur, Andhra Pradesh.

.. Respondents.



Counsel for the Applicant

.. Smt. Sarojini Natarajan
(Party-in-person)

Counsel for the Respondents

.. Mr. M. Keshava Rao,
Adal Case

CORAM:

HON'BLE SHRI T. CHANDRASEKHARA REDDY, MEMBER (JUD L.)

--- *T.C.R.*

To

1. The Secretary, Union of India,
Ministry of Defence, South Block,
New Delhi-11.
2. The Chief of Air HQs,
Air HQs, Vayu Sena Bhawan
New Delhi-11.
3. The Controller of Defence Accounts (Pensions)
Allahabad.
4. The Air Force Record Officer,
Subroto Park, New Delhi-11.
5. The District Treasury Officer, Guntur, A.P.
6. One copy to Mrs. Sarojini Natarajan, Party-in-person
H.No.9-1-43, Ag. College Road
Opposite Venkateswara Theatre Bapatla-522 101, Guntur Dist.
7. One copy to Mr. M. Kesava Rao, Addl. CGSC.CAT.Hyd.
8. One spare copy.

pvm..

CA 25/93
Recd 8-1-93
Date 11-1-93
to file (1)

5.

The question with which the Tribunal confronted is, whether this Tribunal has jurisdiction to entertain this O.A.? The Administrative Tribunals Act, 1985 had come into effect 1.7.1985. The provisions of the Administrative Tribunals Act, 1985 will not apply to certain persons. Section 2 of the Administrative Tribunals Act makes it clear to whom the Administrative Tribunals Act, 1985 is not applicable. Section 2(3) of the Administrative Tribunals Act, 1985 makes it clear that the provisions of Administrative Tribunals Act 1985, shall not apply to any member of the Naval, Military or Air Force or any other Armed Forces of the Union. The fact that the said Natarajan K. was working as a Sergeant in Indian Air Force and was in uniform and was a member of Air Force is not in dispute in this O.A. If the said Natarajan has been alive today certainly this Tribunal will not be having jurisdiction to entertain any O.A. with regard to his grievance relating to the service matter. Admittedly the applicant is claiming the relief as wife and family member of the said Natarajan. As this Tribunal will have no jurisdiction to entertain O.A. for redressal of the grievance of the said Natarajan if he has been alive with regard to his "service" matter, it goes without saying that the present O.A. also cannot be entertained as the applicant is claiming the relief in view of her relationship to Natarajan K. as his wife and as the subject matter in this O.A. relates to a service matter. So as the applicant belongs to the family of the Armed Forces, this Tribunal does not have jurisdiction to entertain this O.A. and hence this O.A. is rejected under the provisions of 19(3) of the Administrative Tribunals Act. The parties shall bear their own costs.

CERTIFIED TO BE TRUE COPY

Date.....

Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad

11.1.83