

(35)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 1047/96.

Date of Order: 26-8-96

Between:

N.Raghunatha Rao •

... Applicant

and

1. Divisional Manager,

S.C.Rly,
Vijayawada.

2. The Presiding Officer,

Labour Court,
Guntur.

Respondents.

For the Applicant :- Mr. G.Ramachaa Rao, Advocate.

For the Respondents: Mr. K.Sivaldy, SC for Rlys.

CORAM:

THE HON'BLE MR.JUSTICE M.JHAUDHARI : VICE-CHAIRMAN

THE HON'BLE MR. H.RADRA PRASAD : MEMBER(ADMN)

Judgement

Oral Order (per Hon. Mr. Justice M.G. Chaudhari, VC)

Mr. G. Ramachandra Rao for the applicant. Mr. K. Siva Reddy for the respondents.

2. On an objection as to the jurisdiction to entertain the OA raised by the Registry, the OA has been placed for orders.

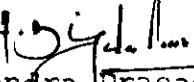
3. Heard learned counsel.

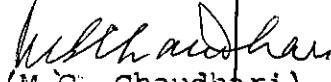
4. The applicant seeks to file this OA to challenge the order passed by the Second Respondent i.e. the Presiding Officer, Labour Court, Guntur, in case No.CMP.10/90 dated 24-11-1994 whereby the claim of the applicant under section 33(C)(ii) of the ID Act, 1947, for payment of Rs.16,439.52 ps with interest thereon has been dismissed. This Tribunal would have no jurisdiction to entertain the OA in view of the decision of the Hon'ble Supreme Court in Krishna Prasad Gupta vs. Controller of Printing and Stationery (1996(1) SCC 69).

5. Learned counsel for the applicant submits that the application may be returned for want of jurisdiction to enable the applicant to file appropriate proceeding of the same nature in the proper Court to challenge the impugned order.

6. Accordingly the following order is passed :

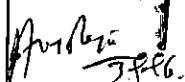
The OA stands returned to the applicant for lack of jurisdiction in this Tribunal to entertain the same. No order as to costs. OA may be formally registered.


(H. Rajendra Prasad)
Member (Admn.)


(M.G. Chaudhari)
Vice Chairman

Dated : August 26, 96
Dictated in Open Court

sk


Deputy Registrar (J) C

(37)

To

1. The Divisional Railway Manager,
S.C.Rly, Vijayawada.
2. The Presiding Officer,
Labour Court, Guntur.
3. One copy to Mr. G.Ramachandra Rao, Advocate, CAT.Hyd.
4. One copy to Mr.K.Siva Reddy, SC for Rlys. CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

pvm.

20/9/96
I COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE M.G.CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

Dated: 26-8-1996

ORDER/ JUDGMENT

M.A/R.A./C.A. No.

in

O.A.No. 1647/96

T.A.No.

(w.p.)

Admitted and Interim Directions

Issued.

OA returned

Allowed.

Disposed of with directions

Dismissed

Dismissed as withdrawn.

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm

