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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1501 of 1996

DATE OF ORDER: -30th December, -1996

BETWEEN:

M.VARADARAJAN

.. APPLICANT

AND

The Divisional Railway Manager (Personnel),
South Central Railway, Vijayawada,
Krishna District.

.. Respondent

COUNSEL FOR THE APPLICANT: SHRI A.BICHAIAH

COUNSEL FOR THE RESPONDENT: SRI C.V.MALLA REDDY, Addl.CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, ADMINISTRATIVE MEMBER

HON'BLE SHRI B.S.JAI PARAMESHWAR, JUDICIAL MEMBER

JUDGEMENT

ORAL ORDER (PER HON'BLE SHRI B.S.JAI PARAMESHWAR,
JUDICIAL MEMBER

Heard Shri A.Bichaiah, learned counsel for the applicant and Shri C.V.Malla Reddy, learned standing counsel for the respondents.

2. The applicant in this OA has prayed this Tribunal to issue direction declaring that the applicant is the same person known as Varadarajan alias Varadarajam and consequently, direct the respondent to select and appoint him to Group-D ^{to} ~~services~~ ^{vic} with consequential benefits.

3. The case of the applicant is that he applied for Group-D services under Special Recruitment ^{for} ~~of~~ ST Candidates

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in Vijayawada Division. He ^{had} passed the examination. After ^{Educational Certificates} verifying the ~~service~~ and other documents produced by the applicant, the respondents herein noticed as many as seven discrepancies as to his identity. Hence by his letter dated 21.9.96 (Annexure A-1), the respondent classified the ^{said} discrepancies and directed ^{the applicant} him to approach the competent court of law to secure ^a decree so as to reconcile all the discrepancies and inconsistencies in order to substantiate ^{his} the authenticity ^{with a view} and to process the recruitment/appointment further.

4. The applicant has not approached the competent forum to secure the declaration regarding the discrepancies noticed by the respondent. He approached this Tribunal by filing this OA. We feel that we cannot give any declaration that the applicant is the same person known as Varadarajan or Varadarajam. The competent forum is the Civil Court. It is for the applicant to satisfy the respondent as to the discrepancies noticed in the letter dated 21.9.96 either by producing a decree from the competent court or by producing the sufficient material, clarifying the discrepancies noticed in the letter dated 21.9.96. This Tribunal cannot give any relief to the applicant.

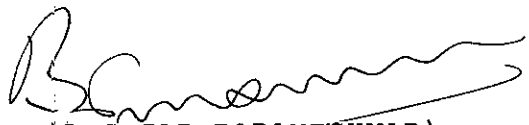
5. The learned counsel for the applicant submitted that the jurisdiction of the Civil court has been ousted ^{with regard} in

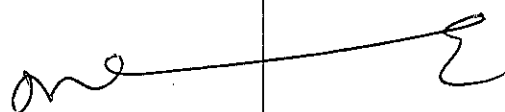
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services matters and ^{that applicant} ~~they~~ can only approach the Central Administrative Tribunal for the relief, especially in cases of recruitment. This is not a case of recruitment. But it is a case of not identifying the correct person. It appears, the respondent felt that it is a case of impersonation. In such cases, this Tribunal has no jurisdiction to deal with and only the Civil Court is competent to deal with such cases. Hence the applicant is directed to approach the competent court as directed by the respondent in his letter dated 21.9.96.


6. With these observations, the OA is dismissed at the admission stage itself. No order as to costs.


(B.S. JAI PARAMESHWAR)
JUDICIAL MEMBER


(R. RANGARAJAN)
ADMINISTRATIVE MEMBER

DATED: - 30th December, 1996
Dictated in the open court.

vsn


Dy. Registrar

Copy to:-

1. The Divisional Railway Manager(Personnel), South Central Railway, Vijayawada, Krishna District.
2. One copy to Sri. A.Bichaiah, advocate, CAT, Hyd.
3. One copy to Sri. C.V.Malla Reddy, Addl. CGSC, CAT, Hyd.
4. One copy to Library, CAT, Hyd.
5. One copy to Hon'ble Mr. B.S.Jai Parameshwar, J.M. CAT, Hyd.
6. One spare copy.

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
M(J)

DATED: 30/12/96

ORDER/JUDGEMENT

R.A./G.P/M.A.NO.

O.A.NO.

1501/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

