

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO. 64193.

DATE OF ORDER : 17-1-1997.

Between :-

The Director of Census Operations,  
Posnett Bhavan, Ramoti,  
Hyderabad (AP).

... Applicant

And

1. Md. Rajmohammed s/o  
Nasar Mohammad,  
Aged about 45 years,  
Occupation: Ex-Tabulator,  
resident of H.No.9-10-92,  
Near Hanuman Temple,  
Parkal, Warangal Dist.

2. Chairman & Presiding Officer,  
Industrial Tribunal Cum Labour  
Court, Warangal.

... Respondents

— — —

Counsel for the Applicant : Shri V. Rajeshwar Rao, Addl. CGSC

Counsel for the Respondents :

— — —

CORAM:

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

(Order per Hon'ble Shri R. Rangarajan, Member (A)).



... 2.

(4)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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The respondent No.1 is this O.A.S.R. ~~Ex-Tabulator~~ <sup>was an</sup> under the Director of Census Operations, Hyderabad. He had filed a claim statement under section 2-A(9) of Industrial Disputes Act on the file of Respondent No.2 praying for setting aside the order of his termination dt.27-2-82 and for a further direction ~~to~~ to the respondents in that C.I.O.No.2/96 to reinstate him as a Tabulator with the continuity of service together with all attendant benefits and full backwages.

2. The present OASR is filed by the Director of Census Operations, Hyderabad, to stay the proceedings in the ~~W~~ C.I.O No.2/96 on the file of the Respondent No.2 in the OASR contending that the Respondent No.2 has no jurisdiction to entertain the C.I.O.No.2/96.

3. The office/raised an objection stating that this Tribunal has no jurisdiction to entertain any application under section 19 of the A.T.Act, 1985 against the order/award of the Labour Court in view of the decision of the Supreme Court in CA 3370/96 reported in 1996 (1) SCC 69.

4. The learned counsel for the applicant submits that this only the original Tribunal/has ~~no~~/jurisdiction and the other courts do not have any jurisdiction to deal with these matters. He has also annexed the judgement of this Tribunal in similar circumstances to this O.A.SR.

5. Shri V.Rajeshwar Rao also relies on section 28 of the



....3.

(6)

A.T. Act that this Tribunal has original jurisdiction to deal with the matter and no other Court has the jurisdiction.

6. It is now stated for the applicant's counsel that the notice has been issued by the Industrial Cum Labour Court, Warangal in the case ~~as~~ taken on their file and hence he wants the further proceedings in the Labour Court to be stayed.

7. The applicant may advance this contention in the Industrial Tribunal cum Labour Court, Warangal (Respondent No.2 herein) and above pray for necessary relief on the basis of the contention. The Labour Court may decide the issue in accordance with the Law.

8. The Office note is disposed of as above.

9. In view of the above, the O.A. may be numbered and no further direction is required in this O.A.

10. The O.A. is disposed of as above. No order as to costs.



(R. RANGARAJAN)  
Member (A)

Dated: 17th January, 1997.  
Dictated in Open Court.

*Ans/*  
20-1-97  
Dy. Registrar (Jud.)

av1/

Copy to:-

1. The Director of Census Operations, Posnett Bhavan, Ramkot, Hyderabad.
2. Sri. Md. Rajmohammad, Ex- Tabulator, H.No.9-10-92, Near Hanuman Temple/Warangal Dist.
3. Chairman & Presiding Officer, Industrial Tribunal Cum Labour Court, Warangal.
4. One copy to Sri. V.Rajeshwar Rao, Addl. CGSC, CAT, Hyd.
5. One copy to Sri. CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

17/1/97

OA-64/97

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APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD

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

AND

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

DATED:

17/1/97

Order/Judgement  
R.P/C.P/M.A.NO.

O.A.NO.

64/97

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal  
DESPATCH

27 JAN 1997

हैदराबाद न्यायपीठ  
HYDERABAD BENCH