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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.300/99.

Dt. of Decision : 21-04-99.

1. Faisuddin
2. Aleti Sreenivasa Rao
3. Kona Ganesh
4. Simta Srinivasa Rao
5. Parra Apparao

.. Applicants.

Vs

1. The Flag Officer-Commanding-in-Chief,
Eastern Naval Command, Visakhapatnam.
2. The Commanding Officer, BV Yard,
Visakhapatnam-9.

.. Respondents.

Counsel for the applicants : Mr.P.B.Vijaya Kumar

Counsel for the respondents : Mr.J.R.Gopala Rao, Addl.CGSC.

CORAM:-

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

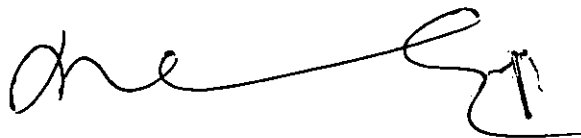
..2/-

ORDER

for Mr.P.B.Vijaya Kumar,
Heard Mr.Durga Rao, learned counsel for the applicants
and Mrs.Sakthi for Mr.J.R.Gopala Rao, learned counsel for the
respondents.

2. The respondents failed miserably in filing the reply when they say that the applicants are paid from the Non-Public Fund and hence they are not government servant and because of that this Tribunal has no jurisdiction to deal with this case. Even to file a minor reply the respondents request time even though the OA was admitted on 22-2-99. The respondents failed miserably in discharging their duties. The observations as above should be brought to the notice of R-1 and R-2 and their remarks should be obtained by the Registry.

3. The applicants are engaged by the first respondent from Non-Public Fund. There are number of cases decided by this Tribunal wherein it was held that the employees paid from the Non-public Fund cannot approach this Tribunal as they are not Government servant and since ~~there~~ they are not government servant this Tribunal has no jurisdiction to deal with their cases. As the applicants themselves admit that they are paid from the Non-public Fund, I see no reason to pass any order in this connection. The applicants may approach the proper judicial forum for the relief. The registry is directed to return the file to the applicants.



(R. RANGARAJAN)
MEMBER(ADMN.)

Dated : The 21st April, 1999.
(Dictated in the Open Court)

