

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO.242/99

DATE OF ORDER : 21-3-2000.

Between :-

1. M.Satyanarayana
2. T.Sridhar Reddy
3. S.Raju

...Applicants

And

1. The Director, Defence Metalurgical Research Laboratory, M/o Defence, Govt. of India, Kanchanbagh, Hyderabad.
2. The Officer In-charge, C.S.D.Canteen, DMRL, Kanchanbagh, Hyderabad.

...Respondents

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Counsel for the Applicants : Shri P.Kishore Rao

Counsel for the Respondents : Shri B.N.Sharma, Sr.CGSC

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CORAM:

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

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

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



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


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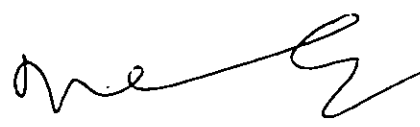
Heard Sri P.Naveen Rao for Sri P.Kishore Rao, learned counsel for the applicant and Sri B.N.Sharma, learned senior standing counsel for the respondents.

2. There are 3 applicants in this OA. They are helpers in the Canteen Stores Department of the D.M.R.L. They have filed this OA seeking to declare that the action of the respondents in seeking to terminate the services of the applicants by oral orders as arbitrary, discriminatory and unconstitutional and consequently direct the respondents to continue the applicants in service and to regularize their services with all consequential benefits.

3. Reply has been filed in this OA. In the reply it has been stated that the employees of the Unit run Canteens are not Central Government servants and therefore not entitled to any protection under Article 311 of the Constitution. It is also stated that the Tribunal has no jurisdiction to hear the grievances of the employees of the Unit run Canteens in view of the Full Bench decision rendered in Dambar Singh Rathore and others Vs. Officer Commanding (Details) & Others ( (1997) 36 ATC 440 FB ). In that OA the applicants were employees of the Unit run Canteens. Hence it was held by the Full Bench that the Tribunal has no jurisdiction to hear the cases of the Unit run Canteens. The applicants herein are also the employees of the Unit run Canteens. Hence the Registry is directed to return the case to enable the applicants to approach the appropriate forum for redressal of their grievance.

4. No costs.

  
(B.S. JAI PARAMESHWAR)  
21.3.2000  
MEMBER (J)

  
(R.RANGARAJAN)  
MEMBER (A)

Avl/

Dated: 21<sup>st</sup> March, 2000.  
Dictated in Open Court.

