

(8)

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 7.3.96.

OA 29/95

Superintendent, Post Office, City Division, Jaipur, and another

... Applicants

Versus

Shri Mahesh Chandwad and another

... Respondents

CORAM:

HON'BLE MR. GOPAL IRISHNIA, VICE CHAIRMAN

HON'BLE MR. O.P. SHAFMA, MEMBER (A)

For the Applicants

... Mr.M.Rafiq

For Respondent No.1

... Mr. Surendra Singh

O R D E R

PER HON'BLE MR. GOPAL IRISHNIA, VICE CHAIRMAN

Applicants, Superintendent, Post Office, City Division, Jaipur, and Inspector, Post Office, Jaipur West, Jaipur, in this application u/s 19 of the Administrative Tribunals Act, 1985, have assailed the impugned award dated 23.6.94 (Ann.A-1) passed by the Central Industrial Tribunal, Jaipur. It has been prayed that the claim of the respondent-workman be rejected.

2. We have heard Mr. M.Rafiq, counsel for the applicants, and Mr. Surendra Singh, counsel for respondent No.1, and have perused the records.

3. At the outset our attention was drawn to a decision by the Hon'ble Supreme Court in a Petition for Special Leave to Appeal (Civil) No.30141/95 from the judgement and order dated 15.4.94 of the Central Administrative Tribunal, Jodhpur Bench, Jodhpur, in OA 345/92, in which their Lordships of the Hon'ble Supreme Court made the following observations :-


"This court in Irishna Prasad Gupta vs. Controller Printing & Stationery, JT 1995 (7) SC 522, has held that the Central Administrative Tribunal has no jurisdiction to entertain an application under Section 19 of the Administrative Tribunals Act against the award/order of the Labour Courts. In this case the award of the Industrial Tribunal is in favour of the respondent-workman. The award has been upheld by the Tribunal. Although, the Tribunal had no jurisdiction to entertain the application against the award of the Industrial Tribunal since the same has been upheld, we are not inclined to interfere. The SLP is dismissed."


C.K. Nishu

....2.

9

4. In view of these authorities, we hold that this Tribunal has no jurisdiction to entertain this application. It is, therefore, rejected. Application/papers annexed thereto shall be returned to the applicants for presentation before an appropriate legal forum.


(O.P. SHARMA)
MEMBER (A)


(GOPAL PRISHNA)
VICE CHAIRMAN

VK