

(4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 29.1.96.

OA 456/95

Union of India and another

... Applicants.

Versus

Mohd. Ismile and another

... Respondents.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

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

For the Applicants

... Mr. K.N. Shriman

For the Respondents

... —

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicants, Union of India and Assistant Engineer, Microwave Project, P&T, Ajmer, have filed this application u/s 19 of the Administrative Tribunals Act, 1985, praying therein that the award dated 30.5.95, passed by the Central Industrial Tribunal, Jaipur, be quashed and the claim of respondent No.1 be dismissed.

2. We have heard the learned counsel for the applicants and have perused the records.

3. It should be noted at the very outset that in a Petition for Special Leave to Appeal (Civil No.20141/95) from the judgement and order dated 15.4.94 of this Bench of the Tribunal in OA No.345/92, Divl. Personnel Officer v. Central Industrial Tribunal, Jaipur & Ors., the Hon'ble Supreme Court on 6.11.95 made the following order :-

"This Court in Krishan Prasad Gupta v. 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.M.R.

(S)

- 2 -

4. In view of the decisions, referred to above, we hold that this Tribunal has no jurisdiction to entertain this application u/s 19 of the Administrative Tribunals Act, 1985. In the result, this application is rejected. We direct that the application/papers shall be returned to the applicants for seeking remedy before an appropriate legal forum.

(O.P. SHAFMA)

MEMBER (A)

Gopal Krishna
(GOPAL KRISHNA)

VICE CHAIRMAN

VK