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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 18.8.97

OA 491/95

Girdhari Lal Meena, EDMC, Sub Post Office, Amer, Jaipur.

... Applicant

Versus

1. Union of India through the Secretary to the Govt., Ministry of Communications, Department of Post, Dak Bhawan, New Delhi.
2. The Secretary to the Govt., Ministry of Labour, Shram Shakti Bhawan, Rafi Marg, New Delhi.
3. Chief Post Master General, Rajasthan Circle, Postal Department, Jaipur.

... Respondents

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. O.P. SHARMA, ADMINISTRATIVE MEMBER

For the Applicant

... Mr. B.M. Sharma

For the Respondents

... Mr. K.N. Shrimal

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PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

This is an application praying for quashing the order dated 19.6.95, passed by respondent No.2, as also for a direction to make a reference of the dispute of the applicant to the Industrial Tribunal for adjudication in accordance with law.

2. We have heard the learned counsel for the parties and have carefully gone through the records of the case.

3. At the very outset, the learned counsel for the respondents referred to an authority, reported in (1995) 31 ATC 110, Rajasthan State Road Transport Corporation and Another v. Krishna Kant and Others, wherein their Lordships of Hon'ble the Supreme Court observed as follows :-

"Where, however, the dispute involves recognition, observance or enforcement of any of the rights or obligations created by the Industrial Disputes Act, the only remedy is to approach the forums created by the said Act."

In view of the aforesaid decision, we reject this application. However, we direct that the application/papers shall be returned to the applicant for seeking remedy before an appropriate legal forum. No order as to costs.


(O.P. SHARMA)
ADM. MEMBER


(GOPAL KRISHNA)
VICE CHAIRMAN

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