

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 1st day of March, 2005

ORIGINAL APPLICATION NO. 464/2003

CORAM :

HON'BLE MR.V.K.MAJOTRA, VICE CHAIRMAN (A)

Smt.Rama Bhatt
w/o Late Shri Mahendra Bhatt,
r/o 13/229, Malviya Nagar,
Jaipur.

By Advocate : None

... Applicant

Versus

1. Union of India
Through Secretary,
Ministry of Broadcasting,
Shahjahan Road,
New Delhi.
2. Director General,
All India Radio,
Akashwani Bhawan,
Sansad Marg,
New Delhi.
3. Station Director,
All India Radio,
M.I.Road,
Jaipur.

By Advocate : Shri Rakesh Jai, proxy counsel
for Shri Sanjay Pareek

... Respondents

ORDER (ORAL)

I proceed to consider this OA in terms of Rule-15 of CAT (Procedure) Rules, 1987 after hearing the learned proxy counsel for the respondents , and considering the respective pleadings and material on record. *lb*

2. Applicants' husband, late Shri Mahendra Bhatt, was appointed on contract basis as Hindi

Programme Announcer on 6.7.1960. The applicant is stated to have received a sum of Rs.22,000/- from the respondents by way of CPF and Gratuity. The applicant has sought a direction to the respondents to release family pension w.e.f. 6.5.1980 and other retiral benefits along with interest @ 24% per annum upto the date of payment.

3. The learned counsel for respondents, at the outset, took objection to the jurisdiction of this Court. He further stated that the applicant has been paid CPF and gratuity and the daughter of the diseased employee has been provided employment on compassionate grounds as well.

4. Husband of the applicant is stated to have died on 6.5.1980. Section-21(2)(a) of the Administrative Tribunals Act, 1985 states as follows:

"(2) Notwithstanding anything contained in sub-section (1), where --

(a) the grievance in respect of which an application is made had arisen by reason of any order made at any time during the period of three years immediately preceding the date on which the jurisdiction, powers and authority of the Tribunal becomes exercisable under this Act in respect of the matter to which such order relates; and

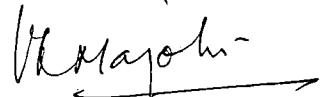
(b) no proceedings for the redressal of such grievance had been commenced before the said date before any High Court,

the application shall be entertained by the Tribunal if it is made within the period referred to in clause (a), or, as the case may be, clause (b), of sub-section (1) or within a period of six months from the said date, whichever period expires later."



5. The Central Administrative Tribunal's Act, ~~was made effective in~~ 1985 was ~~made~~ on 1st July, 1985 and the jurisdiction, powers and authority of CAT become exercisable under this Act w.e.f. 1.11.1985. As such, in terms of Section-21(2)(a) of the said Act, this Tribunal has no jurisdiction over this matter, as the cause of action had arisen in this matter on 6.5.1980.

6. This OA is, therefore, dismissed for want of jurisdiction.



(V.K. MAJOTRA)

VICE CHAIRMAN (A)

1.3.05