

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 06.01.2004

OA 542/2003

Kailash Chand Parewa s/o Shri Khemchand Parewa r/o A-193, Outside Surajpole Gate, Laxminarayanpur Jatiji ki Bagichi, P.O. Ramganj, Distt. Jaipur.

... Applicant

Versus

1. Union of India through Secretary, Ministry of Science and Technology, New Delhi.
2. Director, Council of Scientific and Industrial Research, Anusandhan Bhawan, Rafi Marg, New Delhi.
3. Administrative Officer of Institution of Himalayan Bioresource Technology, Palampur, Himachal Pradesh.

... Respondents

CORAM:

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER

HON'BLE MR.A.K.BHANDARI, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.Raghunandan Sharma

For the Respondents

...

ORDER (ORAL)

The applicant has filed this OA thereby praying for the following relief :

"direct the respondents to give appointment to the applicant on the post of Stenographer with all consequential benefits."

2. Facts of the case are that respondent No.3 issued an advertisement (No.3/2000) (Ann.A/1) for recruitment on various posts including the post of Stenographer. The applicant applied for the said post. The grievance of the applicant is that he has been selected for the post of Stenographer but no appointment order has been given to him. Hence this OA.

3. When the matter was listed for admission on 20.11.2003, this Tribunal observed that prima-facie this Tribunal has got no jurisdiction to entertain this matter and the matter was adjourned for 21.11.2003 at the request of the learned counsel for the applicant. On that date, the learned counsel for the applicant further sought adjournment to prepare the matter and the matter was adjourned to 3.1.2004. Even today, the learned counsel for the

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applicant could not satisfy as to how this Tribunal has jurisdiction to entertain this matter.

4. Admittedly, appointment on the post of Stenographer was to be made by respondent No.3, who does not fall within the territorial jurisdiction of this Tribunal. Further, the relief claimed by the applicant also does not fall within the jurisdiction of this Tribunal. As per Rule-6 of CAT (Procedure) Rules, 1987, an application has to be filed with the Registry of the Bench within whose jurisdiction the applicant is posted for the time being and the cause of action, wholly or in part, has arisen. The applicant has not made even a single averment in this OA that the cause of action, wholly or partly, has arisen within the jurisdiction of this Tribunal. As already stated above, the advertisement (Ann.A/1) was issued by the Administrative Officer, Institution of Himalayan Bioresource Technology, Palampur, Himachal Pradesh, and appointment has also to be made by the said Institution. As such, the present OA is not maintainable and the same is hereby rejected.

5. However, the Registry is directed to return the paper book to the applicant. The OA stands disposed of accordingly.

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(A.K.BHANDEARI)

MEMBER (A)


(M.L.CHAUHAN)

MEMBER (J)