

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH

CIRCUIT COURT SITTING AT INDORE

Original Application No. 546 of 2004

Indore, this the 18th day of August, 2005

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Manoharlal, S/o. Bansidhar,
Driver working under the Dy.
Chief Engineer (Construction),
Western Railway, Do-Batti,
Ratlam (MP).

... Applicant

(By Advocate - None)

V e r s u s

Union of India :
Represented by -

1. The Chief Administrative Officer (Construction), Western Railway, HQ Office, Churchgate, Mumbai 400 020.
2. The Dy. Executive Engineer (S&C), Western Railway, Divisional Office, Old Building, Do-Batti - Ratlam (MP).
3. The Dy. Executive Engineer (S&C), West Central, Kota Division, Near Rly. Station - Kota (Raj.).


... Respondents

(By Advocate - Shri Y.I. Mehta, Sr. Adv. assisted by Shri D.S. Patel)

ORD E R (Oral)

By M.P. Singh, Vice Chairman -

The learned counsel for the respondents has filed MA No. 712 of 2005 stating that as per the law, the Union of India owns the Indian Railways including the Western Railways and they can be represented only by the General Manager. Apart from this in this case the controversy relates to Ratlam and Kota Divisions and even the Divisional Railway Managers of these divisions are not made parties. Hence, they have prayed that this Original Application can be dismissed as not maintainable on the ground that it is not properly constituted.

2.  We find that the learned counsel for the applicant

has not impleaded the Union of India through the General Manager and has also not impleaded the Divisional Railway Managers of the respective divisions. Thus, the present OA is not maintainable and is accordingly dismissed on the ground that it is not properly constituted. However, the applicant will be at liberty to approach the Tribunal by impleading the Union of India, through General Manager, if he still feels aggrieved and so advised.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

"SA"

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....

पत्तिलिपि अर्पण दिनांक:-

- (1) सविन, उत्तर प्रान्तपालिका कार्यालय, जबलपुर
- (2) आदेशक श्री/श्रीमती/शु.....को कार्यालय
- (3) प्रत्यक्षी श्री/श्रीमती.....को कार्यालय
- (4) संस्थापक, दंडाधिका, जिला न्यायालय, जबलपुर

सत्यता एवं आवश्यकता का प्रमाण देना

उप रजिस्ट्रार

D. K. Bhatt, D.A.
Aulha
Y. P. Nigam
Sr. D. J. Singh

24-8-95