

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

OA No. 299/2005.

Jaipur, this the 11<sup>th</sup> day of July, 2005.

**CORAM : Hon'ble Mr. M. L. Chauhan, Judicial Member.**

Om Vir Singh,  
S/o Shri Rohan Singh,  
Aged about 56 years,  
R/o G-183, CEERI Colony,  
Pilani, Jhunjhunu (Raj.)

... Applicant.

None is present for the applicant.

Vs.

1. Union of India through the  
Secretary, Ministry of Science and Technology,  
New Delhi.
2. Central Electronic Engineering Research Institute  
Through its Administrative Officer,  
Pilani, Jhunjhunu (Raj.)

... Respondents.

By Advocate : Shri Hawa Singh proxy counsel for  
Shri V. S. Gurjar.

**: O R D E R (ORAL) :**

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

- "(i) by an appropriate order or direction, the  
impugned orders dated 11.6.2005 & 17.5.2004  
(Annexure A/1 & A/2) may kindly be quashed  
and set aside.
- (ii) to issue an appropriate order or direction,  
the applicant be allowed to live continuously  
in the premises (i.e. Qtr. No. F-183).
- (iii) If any prejudicial order is passed against  
the applicant during the pendency of this  
application, the same may kindly be taken on  
record and be quashed and set aside.

(iv) Any other appropriate order or direction, which this Hon'ble Tribunal may deem just and proper in the facts and circumstances of the case, may also kindly be passed in favour of the applicant.

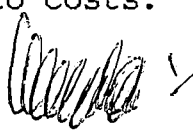
(v) Cost may also be awarded to the applicant."

2. Briefly stated the facts of the case are that the applicant was appointed on the post of Teacher some time in the year 1980 in the Institute of Respondent No.2. The applicant was also allotted quarter. The grievance of the applicant is that on the basis of false complaint made by one Shri Rajesh Sharma, Respondents have passed the impugned order dated 11.6.2005 (Annexure A/1) whereby the applicant has been asked to vacate the council accommodation within ten days. The impugned order was challenged by the applicant by filing Writ Petition before the Hon'ble High Court. However, the same was disposed of by the Hon'ble High Court on the ground that alternative remedy is available to the applicant. Accordingly, the applicant has filed this OA before this Tribunal.

3. Notice of this application was given to the respondents. Respondents have filed reply. By way of preliminary objection, it has been stated that this Tribunal has got no jurisdiction to entertain the matter as Respondent No.2 <sup>is a society</sup> is registered under the Rajasthan Societies Act, 1958. The respondents have also placed on record copy of the certificate to this effect as Annexure R/1. Respondents have categorically stated that since

Respondent No.2 is the Education Society and has been registered with the aims and objects which have been spelt out under the bye laws of the CEERI Educational Society will not connected with the functioning of Central Electronic engineering Research Institute or Council of Scientific and Industrial Research Institute, New Delhi, since the Respondent No.2 is a society registered under Rajasthan Societies Act, 1958, as such, this Tribunal has got no jurisdiction to entertain the matter in view of the provisions contained under Section 14 of the Administrative Tribunals Act, 1985.

4. I have heard the Learned Proxy Counsel for the respondents. Since the applicant is an employee of Respondent No.2 who is a registered society under the Rajasthan Societies Act, 1958, as such, the matter does not lie within the purview of Section 14 of the Administrative Tribunals Act, 1985, so as to invoke the jurisdiction of this Tribunal. Accordingly, the OA is dismissed with no order as to costs.

  
(M. L. CHAUHAN)  
JUDICIAL MEMBER

P.C./