

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDER SHEET

ORDERS OF THE TRIBUNAL

06.05.2008

Jagdish Prasad Meena vs. UOI

OA 154/08

Shri V.K.Mathur, counsel for the applicant

Heard the learned counsel for the applicant.

According to me, this Tribunal has got no territorial jurisdiction as the cause of action wholly or partly has arisen outside the territorial jurisdiction of this Tribunal. Simply, because the applicant received a communication and has applied for the post within the territorial jurisdiction of this Tribunal will not afford cause of action to the applicant.

The learned counsel for the applicant prays for some more time to study the matter. Let the matter be listed on 8.5.2008.


(M.L.CHAUHAN)
Judl. Member

R/

8/5/08
Mr. V.K. Mathur - counsel for the applicant

Heard the learned counsel for the applicant.

For the reasons dictated separately,
the OA is disposed of at administrative stage


(M.L.CHAUHAN)

Judl. Member

R/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

JAIPUR, this the 8th day of May, 2008

ORIGINAL APPLICATION NO 154/2008.

CORAM:

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

Jagdish Prasad Meena
s/o Shri Kajod Mal Meena,
aged about 32 years,
r/o village and post Mandawari,
Tehsil Lalsot,
District Dausa.

.. Applicant

(By Advocate: Mr. V.K.Mathur)

Versus

1. Union of India
through General Manager,
Western Railway,
Churchgate,
Mumbai.
2. Railway Recruitment Board,
Mumbai through its Secretary,
Divisional Office Compound,
Western Railway,
Mumbai Central,
Mumbai.
3. Railway Recruitment Board,
Jammu-Srinagar
through its Secretary,
Railway Colony (West),
Jammu

.. Respondents

(By Advocate:

O R D E R (ORAL)

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

- "i) to declare the impugned order dated 10.4.2008 (Annex.A/1) passed by the respondent No.3 and order dated 23.7.2007 (copy of which was not supplied to the applicant) and 3.3.2008 (Annex.A/2) passed by respondent No.2 as illegal and the same may kindly be quashed and set-aside.
- (ii) directing the respondent No.3 to treat the applicant fully eligible for appointment on the post of Assistant Loco Pilot and issue him appointment order alongwith the other selected candidates in pursuance to the Employment Notice No.2/2007, with all consequential benefits.
- (iii) Any other order or direction which this Hon'ble Tribunal may deem just and proper in the facts and circumstances of the case may kindly be passed in favour of humble applicant including award of cost of this original application."

2. In this case the impugned order has been passed by the authorities outside the territorial jurisdiction of this Tribunal. The posts were advertised by the authorities outside the jurisdiction of this Tribunal and the respondents impleaded in this OA are also outside the territorial jurisdiction of this Tribunal. Further, the cause of action wholly or partly has arisen outside the territorial jurisdiction of this Tribunal. As such, this Tribunal has no jurisdiction to entertain the matter.

3. At this stage, the learned counsel for the applicant submits that liberty may be granted to him to file a substantive OA for the same cause of action before the appropriate Bench. In view of the submissions made by the learned counsel for the

applicant, the present OA is allowed to be withdrawn with liberty to the applicant to file a substantive OA for the same cause of action before the appropriate Bench.

4. The OA shall stand disposed of accordingly at admission stage.



(M.L.CHAUHAN)

Judl. Member

R/