

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

Jaipur, this the 1st day of April, 2010

CORAM:

HON'BLE MR. M.L.CHAUHAN, MEMBER (JUDL.)
HON'BLE MR. B.L.KHATRI, MEMBER (ADMV.)

Original Application No.150/2010

Suranjan Kumar Meena
s/o Brij Lal Meena,
r/o Village and Post Jageevanpur,
Tehsil Weir,
Distt. Bharatpur.

... Applicant

(By Advocate: Shri V.K.Mathur)

Versus

1. Union of India through the Secretary, Ministry of Railway, Government of India, Rail Bhawan, New Delhi.
2. Railway Recruitment Board, First Floor, MG Railway Station Building, Ahmedabad through its Chairman.
3. Assistant Secretary, Railway Recruitment Board, 1st Floor MG Railway Station Building, Ahmadabad.

.. Respondents

(By Advocate:)

ORDER (ORAL)

The applicant has filed this OA thereby challenging the order dated 5.11.2009 whereby the Assistant Secretary, Railway Recruitment Board, Ahmedabad has issued a show-cause notice to the applicant as to why he has submitted wrong/false information for the purpose of getting privilege traveling pass facility and thereby cheating the railways. Besides this, the applicant has also challenged the order dated 29.1.2010 whereby in the supplementary result, the respondents have declared the applicant disqualified for the aforesaid reasons. These orders have been passed by the authorities, which are located outside the territorial jurisdiction of this Tribunal. In para-2 of the OA, the applicant has submitted that the order against which he wants redressal is within the jurisdiction of this Hon'ble Tribunal.

2. As already stated above, the impugned order Ann.A/2 dated 5.11.2009 and order dated 29.1.2010 (Ann.A/1) whereby the applicant has been held disqualified have been passed by respondent No. 2 and 3 who are not within the territorial jurisdiction of this Tribunal. Thus, according to us, the present OA cannot be

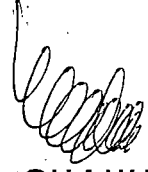
entertained in view of the provisions contained under Section 19 of the Administrative Tribunals Act, 1985 read with Rule 6 of the Central Administrative Tribunal (Procedure) Rules, 1987. Further, this Tribunal has considered identical issue in the case of B.L.Meena vs. Union of India, OA No.161/2010 decided on 29.3.2010 and other connected matters wherein also the show-cause notice dated 5.11.2009, as in the instant case, was under challenge on the similar grounds and this Tribunal after considering the provisions of the Administrative Tribunals Act and Central Administrative Tribunal (Procedure) Rules has passed a detailed order thereby holding that this Tribunal has got no territorial jurisdiction to entertain the OA. The reasoning given by this Tribunal in the case of B.L.Meena (supra) is squarely applicable in the facts and circumstances of this case also, which will be read as mutatis-mutandis applicable in the instant case.

3. Thus, we are of the view that this Tribunal has got no territorial jurisdiction to entertain the OA. Accordingly, the Registry is directed to return the paper book to the applicant for presentation before the appropriate forum by retaining one copy for record.



4. The OA stands disposed of accordingly at admission stage.


(B.L. KHATRI)
Admv. Member


(M.L. CHAUHAN)
Judl. Member

R/