

Central Administrative Tribunal
Principal Bench
New Delhi

R.A.No.84/2015 with M.A.No.1267/2015
in
O.A.No.1459/2014

Order Reserved on: 28.07.2016
Order pronounced on 05.08.2016

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Shri P. K. Basu, Member (A)

Shri S.P.Swamy
House No.37
Street No.6
Durga Vihar Phase-II
Deenpur, Najafgarh
New Delhi. Applicant
(By Advocate: Mrs. Meenu Mainee)

Versus

Union of India: through

1. Secretary
Ministry of Culture
Shastri Bhawan
New Delhi.
2. Director
National Mission for Manuscripts
Ministry of Culture
11 Man Singh Road
New Delhi. Respondents
3. Member Secretary
Indira Gandhi National Centre for the Arts
Janpath
New Delhi. Respondents

(By Advocate: Shri Rattan Lal for R1 and R2 and Sh. L.R.Khatana for R-3)

ORDER**By V. Ajay Kumar, Member (J):**

OA No.1459/2014 was filed by the review applicant, seeking a direction to the 3rd Respondent, i.e., Indira Gandhi National Centre for Arts, New Delhi to release the salary and allowances of the applicant from June, 2013 to February, 2014 with interest at the rate of 10% per annum. The said OA was dismissed by an order dated 14.01.2015 on the ground of jurisdiction as the 3rd Respondent against which a direction was sought is an autonomous body and not notified under Section 14 of the Administrative Tribunals Act, 1985. Seeking review of the said order, the present RA has been filed.

2. MA No.1267/2015, seeking condonation of delay in filing the RA, is allowed, in the circumstances and in the interest of justice and for the reasons mentioned therein.

3. The learned counsel for the review applicant by way of this review submits that the applicant was appointed by the 2nd Respondent, i.e., the National Mission for Manuscripts, Ministry of Culture, against which this Tribunal has jurisdiction and hence, the order dated 14.01.2015 is liable to be reviewed. It is seen from the pleadings that the 2nd respondent is only a Project of Govt. of India which is being implemented under the administrative control of the 3rd Respondent against which this Tribunal has no jurisdiction, even as per the applicant himself. Further, the OA was filed seeking direction to

release the salary of the applicant from June, 2013 to February, 2014 and during the said period admittedly the applicant worked under the 3rd Respondent only.

4. In the circumstances, we do not find any merit in the RA and accordingly, the same is dismissed. No costs.

(P. K. Basu)
Member (A)

(V. Ajay Kumar)
Member (J)

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