

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.

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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.
3. Member Secretary  
Indira Gandhi National Centre for the Arts  
Janpath  
New Delhi.

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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 3<sup>rd</sup> 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 3<sup>rd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> respondent is only a Project of Govt. of India which is being implemented under the administrative control of the 3<sup>rd</sup> 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 3<sup>rd</sup> 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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