

**Central Administrative Tribunal  
Principal Bench, New Delhi**

C.P.No.603/2015  
&  
R.A.No.264/2015  
In  
O.A. No. 863/2015

Monday, this the 23<sup>rd</sup> day of November 2015

**Hon'ble Mr. A.K. Bhardwaj, Member (J)**  
**Hon'ble Mr. V.N. Gaur, Member (A)**

C.P.No.603/2015

V.K. Kohli, Asstt. Manager (HO) Retd.  
s/o Mr. Ganga Bishan Kohli  
r/o A-1/162, Paschim Vihar  
New Delhi-63

.. Applicant

(Ms. Saumya Shree Misra, Advocate)

Versus

1. Mr. C Vishwa Nath  
Secretary  
Ministry of Consumer Affairs,  
Food & Public Distribution  
Govt. of India  
Kirshi Bhawan, New Delhi
2. Mr. Ashok Kumar Jain  
Managing Director  
National Cooperative Consumers  
Federation Ltd. (NCCF)  
92, Deepali (5<sup>th</sup> Floor), Nehru Place  
New Delhi

..Respondents

(Nemo for respondent No.1 –  
Mr. Elgin Matt John for respondent No.2)

R.A.No.264/2015

1. Union of India through  
Secretary  
Ministry of Consumer Affairs,  
Food & Public Distribution  
Govt. of India  
Kirshi Bhawan, New Delhi

2. National Cooperative Consumers  
Federation Ltd. (NCCF)  
92, Deepali (5<sup>th</sup> Floor), Nehru Place  
New Delhi

..Applicants

(Nemo for applicant No.1 –  
Mr. Elgin Matt John for applicant No.2)

Versus

V.K. Kohli, Asstt. Manager (HO) Retd.  
s/o Mr. Ganga Bishan Kohli  
r/o A-1/162, Paschim Vihar  
New Delhi-63

.. Respondent

(Ms. Saumya Shree Misra, Advocate)

## O R D E R (ORAL)

**Mr. A.K. Bhardwaj:**

C.P.No.603/2015

Learned counsel for applicant produced a copy of order/communication dated 06.11.2015 and submitted that in view of the same, she does not wish to press the Contempt Petition. As prayed by her, the Contempt Petition is dismissed. Notices issued to the respondents are discharged. No costs.

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2. Learned counsel for review applicant No.2 – National Cooperative Consumer's Federation of India (NCCF) Ltd. submitted that jurisdiction of the Tribunal has to be determined with reference to the post concerning which the recruitment or conditions of service are to be determined and not with reference to the recruiting agency. To buttress his plea, the learned counsel relied upon the judgments of Hon'ble High Court of Delhi in **Delhi Subordinate Services Selection Board & another v. Shikha Arora**

(LPA No.606/2011) decided on 28.07.2011 and **Yatendra Singh Meena v. Delhi Subordinate Services Selection Board** (LPA No.746/2012) decided on 11.01.2013. According to him, the applicant in O.A., namely, Mr. V.K. Kohli was the employee of NCCF, which is registered under the Multi-State Cooperative Societies Act, 2002 and could not have raised any grievance in respect of his service conditions before this Tribunal. According to him, the Multi-State Cooperative Societies Act, 2002 has not been notified under proviso to Section 14 (2) of Administrative Tribunals Act, 1985.

3. In any case, in view of the aforementioned order/ communication dated 06.11.2015 the applicant has withdrawn the Contempt Petition No.603/2015 and is not pressing for execution of the Order under review any longer.

4. In the wake, Review Application is dismissed as infructuous. It is made clear that whether the grievances of the employees of NCCF are amenable to the jurisdiction of the Central Administrative Tribunal or not has not been determined in the Order under review and the Order was passed with the consent of the counsels for the parties. The issue is open and would be addressed to in appropriate proceedings if arises to be determined by this Tribunal. No costs.

**( V.N. Gaur )**  
**Member (A)**

**( A.K. Bhardwaj )**  
**Member (J)**

**November 23, 2015**  
**/sunil/**