

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

OA No.831 /2012

New Delhi, this the 12th day of August, 2016

Hon'ble Mr. P.K. Basu, Member (A)

Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

1. Dr. Vivek Rustagi
S/o Sh. V.s. Rustagi,
R/o H.No. 138, Dayanand Vihar,
Delhi-110092
2. Dr. Ajit Kumar Yadav
S/o Sh. R.K.Prasad
R/o Qtr No.4 Type-V
New Colony, IHBAS Campus
Dilshad Garden, Delhi-110095.
3. Dr. Rushi,
W/o Abdul Arshad Naz,
R/o Qtr No.6 Type-V
New Colony, IHBAS Campus
Dilshad Garden, Delhi-110095.
4. Mr. Sanjay Kumar
S/o Sh. Keshar Prasad
R/o Qtr No.6 Type-III
Old Colony, IHBAS Campus
Dilshad Garden, Delhi-110095.
5. Ms. Shabana Nikhat,
D/o Manuwer Hussain,
R/o H No. 10A, MIG Flat,
Pocket 3, Kalplna Apartment,
Mayur Vihar Phase II, Delhi -110096.
6. Mr. Durgesh N.Dubey

S/o Sh. T.N. Dubey
R/o Qtr No. 20 Type III,
Old Colony, IHBAS Campus,
Dilshad Garden , Delhi -110095.

7. Mr. Dhirender K.Rai,
S/o Late Sh. S.P. Rai
R/o Qtr No.21 Type-III
Old Colony, IHBAS Campus
Dilshad Garden, Delhi-110095.
8. Mr. Balram,
S/o Sh.Lila Ram
R/o G-65, Phase -6
Ajay Nagar, Delhi -110047.
9. Ms. Sumita Wadhwa,
W/o Sh. Kamal Wadhwa,
R/o H. No. B-4/63, Sector -7
Rohini, Delhi -110085.
10. Suresh K. Yadav,
S/o Sh. Jhoothar Singh
R/o Qtr No.11 Type-II
Old Colony, IHBAS Campus
Dilshad Garden, Delhi-110095.
11. Philip George V.G.,
S/o Sh. George,
R/o J-42, UG-2 , Dilshad Colony,
Delhi-110095.
12. Jubin Joseph
S/o Sh.Joesph P.L.
R/o H.No .911, Janta Flats,
GTB Enclave, Nand Nagari,
Delhi -1100093.

13. Sandeep Bharija,
S/o Sh. Harish Bharija ,
R/o H No. A/340, Ranjingandha Apartment
GT Road, Shalibabad, Ghaziabad, UP

14. Shoband Singh Rawat,
R/o Qtr No. 21 Type II
Old Colony, IHBAS Campus,
Dilshad Garden, Delhi -110095.

15. Lalit Kumar
S/o Sh. Sukhbir Singh
R/o H. NO. 1/3676 Gali NO.2
Ram Nagar Extn. Loni Road, Shahdara,
Delhi -110032

.. Applicants

(By Advocate: Mr. Sumit Mukherjee)

Versus

1. UOI & Ors
Through
Secretary
Ministry of Health and Family Welfare
Govt.of India, Nirman Bhawan
New Delhi.
2. Joint Secretary,
Ministry of Health and Family Welfare,
Govt. of India, Nirman Bhawan,
New Delhi.
3. The Director,
Institute of Human Behaviour and Allied
Sciences (IHBAS)
Govt. of NCT of Delhi.
GT Road, Dilshad Garden,
Delhi.

4. Govt. of NCT of Delhi.
Through Chief Secretary,
New Secretary, IP Estate
New Delhi.
5. The Secretary,
Department of Health and Family Welfare
Govt. of NCT of Delhi.
New Secretariat, IP Estate
New Delhi. ..Respondents

(By Advocate: Mrs. Avinash Ahlawat, Mr. Amit Anand, Mr.S.D. Singh & Mr. Kapil Agnihotri)

ORDER (ORAL)

Hon'ble Mr. P.K. Basu, Member (A)

At the outset, learned counsel for the respondent No.3 raised preliminary objection on the point of jurisdiction under Rule 14 of the C.A.T., Act. 1985, that this Tribunal has no jurisdiction to entertain this matter as IHBAS has not been notified under Rule 14.

2. Learned counsel also filed our order dated 09.09.2015 passed in OA No. 2097/14, which is an order passed by a Coordinate Bench of this Tribunal holding that this Tribunal has no jurisdiction over IDHS, which is another autonomous body under the same programme.

3. Learned counsel for the applicants vehemently states that according to union counter reply, since funding is by the

State Government, therefore, this Tribunal has jurisdiction. However, we reject this argument as funding of an autonomous body by government does not automatically bring it under the Tribunal's jurisdiction. It has to be specifically notified under Rule 14.

4. In view of above, learned counsel for the applicants wishes to withdraw the OA with liberty to approach the appropriate forum in accordance with law.

5. Accordingly, the OA is dismissed as withdrawn. However, the applicants are at liberty to approach the appropriate forum in accordance with law. No costs.

(Dr. Brahm Avtar Agrawal)
Member (J)
/mk /

(P.K. Basu)
Member A)

