

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI**

O.A. No.100/2548/2016

New Delhi this the 29th day of August, 2016

Hon'ble Mr. Justice M. S. Sullar, Member (J)
Hon'ble Mr. K. N. Shrivastava, Member (A)

Shri Nishant Kumar Vishwakarma
S/o Shri Rishi Kesh Vishwarkarma,
Technician (Film),
Aged about 40 years
R/o 105, Sector-3,
R.K. Puram, New Delhi.Applicant

(Argued by: Shri V.S.R. Krishna, Sr. Advocate with Mr.
Subodh Kaushik, Advocate)

Versus

Union of India

Through

1. The Secretary,
Ministry of Social Justice and Empowerment,
Social Defence Division,
Shastri Bhawan, New Delhi.
2. The Director,
National Institute of Social Defence,
West Block-1, Wing-7, Ground Floor,
R.K. Puram, New Delhi. .Respondents

ORDER (ORAL)

Justice M.S. Sullar, Member (J)

Applicant, Nishan Kumar Vishwakarma, has preferred this Original Application (OA), challenging the impugned order dated 19.04.2016 (Annexure A-1), whereby his request to count his past service for the purpose of pensionary benefits has been rejected by

the Dy. Director, National Institute of Social Defence (respondent No.2).

2. When this OA came up for hearings on 01.08.2016 and 23.08.2016, the learned counsel sought time to produce Notification, including National Institute of Social Defence (respondent No.2), in the array of the organizations, to which this Tribunal can exercise jurisdiction.

3. Today, when the matter again came up for hearing, learned counsel failed to produce any such Notification/Rule, bringing respondent No.2 within the jurisdiction of this Tribunal u/s 19 of the Administrative Tribunals Act, 1985. Thus, this Tribunal has no jurisdiction to set aside the impugned order passed by National Institute of Social Defence (respondent No.2).

4. Therefore, the OA is hereby dismissed, as withdrawn, to enable the applicant to avail his appropriate remedy, for redressal of his grievances, in accordance with law, as prayed for.

(K.N. SHRIVASTAVA)
MEMBER (A)
29.08.2016

(JUSTICE M.S. SULLAR)
MEMBER (J)
29.08.2016

Rakesh