

Central Administrative Tribunal
Principal Bench
New Delhi

O.A.No.3604/2016

Order Reserved on: 12.01.2017
Order pronounced on 17.01.2017

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Shri V. N. Gaur, Member (A)

Pawan Kumar, Age 35 years
S/o Satpal Singh
R/o Village Noorpur
P.O.Badshahpur
Distt. Gurgaon
Haryana – 122001.

.... Applicant

(By Advocate: Sh. Shashank A. Singh for Sh. Mayank Sharma)

Versus

1. Union of India
Through Secretary
Ministry of Defence
Central Secretariat, South Block
New Delhi.

2. Dy. Dte. Gen Canteen Services
OMG Branch
L-1, Block, Room No.13
Church Road,
New Delhi – 110 001.

3. Officer Incharge
AFSSR (Air Force Station)
Sohna Road
Gurgaon – 122 001.

... Respondents

ORDER

By V. Ajay Kumar, Member (J):

Heard the learned counsel for the applicant.

2. The applicant, a Billing Clerk in an Unit Run Canteen under the respondents, filed the OA, aggrieved by his termination from the service.

3. In **Union of India v. Gobinda Prasad Moola**, (2012) 13 SCC 565 following the decision in **R.R.Pillai v. Commanding Officer**, (2009) 13 SCC 311, the Hon'ble Apex Court categorically held that the employees of Unit Run Canteens are not Government servants, and hence, the Central Administrative Tribunal has no jurisdiction to adjudicate their grievances.

4. In view of the aforesaid law, the OA is not maintainable before this Tribunal and accordingly, the same is dismissed. However, this order shall not preclude the applicant from availing his remedies before an appropriate Court, in accordance with law. No costs.

(V. N. Gaur)
Member (A)

(V. Ajay Kumar)
Member (J)

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