

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

OA 4437/2014

this the 29th day of April, 2016

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Dr. Birendra Kumar Sinha, Member (A)**

Hanif Khan Mali
Aged about 42 employees No.8
S/o Usman Khan
R/o H.No.B.G.16
Madangir
New Delhi – 110 062.Applicant.

(By Advocate:Shri R.K.Kapoor)

VERSUS

The Central Civil Services Board
Lok Nayak Bhawan, New Delhi
Through its Secretary Respondent.

(By Advocate:Shri Deepak Bhardwaj)

ORDER (ORAL)

By Hon'ble Mr.V. Ajay Kumar, Member (J)

Heard both sides.

2. The applicant is working as Gardner on a consolidated pay with the sole Respondent-Central Civil Services Board (CCSB) since 6th October, 1995.

3. The OA has been filed seeking a direction to the Respondent-CCSB to create a post of Mali and regularize the services of the applicant and further granting all other consequential and incidental benefits.

4. The learned counsel for the respondent submits that Respondent-CCSB is a Society registered under the Societies Registration Act, 1860 and hence, the OA is not maintainable. The learned counsel for the respondents further submits that no notification bringing the said Society under the jurisdiction of this Tribunal under Section 14 of the Administrative Tribunals Act, 1985 was issued, hence, the OA is liable to be dismissed on the ground of jurisdiction.

5. The learned counsel for the applicant, while not disputing the fact that the sole Respondent-CCSB is a Society registered under the Societies Registration Act, 1860 submits that the Society is under the control of Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training and hence, the OA is maintainable. Since, it is not disputed that the sole Respondent-CCSB is a Society registered under the Societies Registration Act, 1860, unless there is a specific notification issued bringing the same into the purview of the Jurisdiction of this Tribunal under Section 14 of the Administrative Tribunals Act, 1985, the OA is not maintainable, before this Tribunal.

6. In the circumstances, the OA is dismissed for want of jurisdiction. However, the applicant is at liberty to avail his remedy, if so advised, before an appropriate forum in accordance with law. No. costs.

(DR. BIRENDRA KUMAR SINHA)
Member (A)

(V. AJAY KUMAR)
Member (J)

