

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

**MA No.4740/2017 In
RA No.236/2017 In
O.A No.2669/2017**

**Reserved On:22.12.2017
Pronounced on:04.01.2018**

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)**

Smt. Manorama
(Aged about 38 years)
Group 'D'
W/o Shri Raj Kumar
Safiwali
Under Chief Medical Superintendent,
North Central Railway,
Agra.

....Applicant

(By Advocate: Mrs. Meenu Mainee).

Versus

Union of India: Through

1. Secretary,
Railway Board,
Rail Bhawan,
New Delhi.

2. General Manager,
North Central Railway,
Allahabad.

3. Divisional Railway Manager,
North Central Railway,
Agra.

4. Chief Medical Director,
North Central Railway,
Allahabad.Respondents

ORDER

By Mr. V. Ajay Kumar, Member (J)

MA 4740/2017 in RA No.236/2017 in OA No.2669/2017

Heard Mrs. Meenu Mainee, learned counsel appearing for the applicant.

2. The applicant, a Safaiwali in the respondent-North Central Railway and working at Agra, filed OA No. 2669/2017 before this Bench of this Tribunal seeking certain reliefs. The said OA was dismissed on 09.10.2017, on the ground of lack of territorial jurisdiction.
3. RA No.236/2017 filed by the applicant in OA No.2669/2017 was also dismissed on 15.11.2017.
4. The applicant filed the instant MA praying this Tribunal to decide whether the judgment in OA No.2669/2017 as upheld in RA No.236/2017 is correct or the judgment in OA No.3718/2017, filed by another person working in Surveyor General of India is correct, by submitting that though the issue of territorial jurisdiction of this Bench was raised in both the cases, but both the OAs were decided differently, i.e., OA No.2669/2017 of the applicant was dismissed by holding that the jurisdiction for the said OA lies before the Bench at Allahabad and whereas in OA No.3718/2017 the identical objection raised by the respondents therein was rejected.

5. The issue of territorial jurisdiction is dependent on the facts involved in a particular case. The facts in OA No.2669/2017 and OA No.3718/2017 are completely different and distinct and that the former OA pertaining to Railways, whereas the latter OA pertains to Surveyor General of India and the issue of territorial jurisdiction was decided under different fact situation.

6. In the circumstances, we do not find any merit in the MA and accordingly the same is dismissed. No costs.

(NITA CHOWDHURY)
MEMBER (A)

(V. AJAY KUMAR)
MEMBER (J)

Rakesh