

CENTRAL ADMINISTRATIVE TRIBUNAL  
MADRAS BENCH

Dated the Friday 2<sup>nd</sup> day of March Two Thousand And Eighteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A./310/00297/2018

B. Sivabalan,  
S/o. Balasankaragurusamy,  
Dr. Govindaraj Nagar, 2<sup>nd</sup> Street,  
Balakrishnapuram Post,  
Dindigul.

.....Applicant

(By Advocate : M/s. Sarvabhuman Associates)

VS.

1. The Director General,  
NCC Directorate (Tamilnadu, Puducherry & Andaman),  
Fort St. George,  
Chennai;
2. Group Commander,  
NCC Group HQ,  
No.4, 1<sup>st</sup> Floor, Subramanian Building,  
Promenade Road,  
Cantonment,  
Tiruchy;
3. Commanding Officer,  
14(TN) BN NCC,  
D.No.54, Anna Nagar,  
Dindigul.

... ..Respondents

(By Advocate: Mr. M. Kishore Kumar)

**ORAL ORDER**

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

Heard learned counsel on both sides.

2. This O.A has been filed by the applicant seeking to call for the records relating to the impugned order dated 25.01.2018 passed by 3<sup>rd</sup> respondent No. 331/1/URC/Staff/Corres and quash the same.

3. Learned counsel for the applicant submits that they were satisfied that law laid down by the Hon'ble Apex Court is to the effect that Unit Run Canteens were not paid out of the Consolidated Fund of India and that the employees of such Canteens were not government employees. The applicant had not been able to locate any citation of the Hon'ble Apex Court to the contrary and, therefore, the matter may be disposed of accordingly.

4. Learned counsel for the respondents seeks immediate dismissal of the O.A. as the Tribunal had no jurisdiction.

5. In view of the aforesaid submission, the O.A. is dismissed for want of jurisdiction of this Tribunal. However, at the request of counsel for the applicant, Registry is directed to return the impugned order filed in original to the applicant retaining a copy thereof for record. No costs.

(R. RAMANUJAM)  
MEMBER(A)

2.3.2018

asvs.