

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/205/2018

DATE OF ORDER: 27.07.2018

CORAM

HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER

Bablu Lal S/o Shri Kalu Ram, aged about 25 years, R/o Near Ram Mandir, Village Sarod, Tehsil Pachpahar, District Jhalawar (Rajasthan), presently he is applicant for the post of Group D. RRC Central Railway, Mumbai – 400010.

....Applicant

Mr. Sumit Rawat, counsel for applicant.

VERSUS

1. Union of India, Ministry of Railways through Chairman, Railway Board, Rail Bhavan, New Delhi – 110001.
2. General Manager, Central Railways, Chatrapati Shivaji Terminal, Mumbai-400010.
3. Chief Personnel Officer, Central Railways, Chatrapati Shivaji Terminal, Mumbai-400010.
4. Chairman, Railway Recruitment Cell, Central Railway, Chief Project Manager (Conv)'s Office Building, P.D. Mello Road, Wadi Bunder, Mumbai-400010.
5. Assistant Secretary, Railway Recruitment Cell, Central Railways, Chief Project Manager (Conv)'s Office Building, P.D. Mello Road, Wadi Bunder, Mumbai-400010.

....Respondents

ORDER (oral)

Per: Suresh Kumar Monga, Judicial Member

Aggrieved by an order dated 03.01.2018 (Annexure A/1) issued by the Assistant Personnel Officer (Rect./RRC), Central Railway, Railway Recruitment Cell, Mumbai, the applicant has preferred the instant Original Application under Section 19 of the Administrative Tribunals Act, 1985.

2. A perusal of the Employment Notice No. RRC/CR/3/2013 dated 08.08.2013 (Annexure A/2) pursuant to which the applicant had submitted his application form seeking recruitment to a Group 'D' post, reveals that the territorial jurisdiction of this Bench of the Tribunal has been specifically excluded by the respondents while publishing the said Employment Notice. Clause 13 of the said Employment Notice specifically stipulated that any legal matter arising out of the said employment notice shall fall within the legal jurisdiction of Central Administrative Tribunal, Mumbai only. While submitting his application form, the applicant accepted the terms of the Employment Notice. In this view of the matter, the instant Original Application cannot be entertained before this Bench of the Tribunal as the territorial jurisdiction of this Bench as well as all other Benches except Mumbai Bench of this Tribunal was excluded while issuing the Employment Notice dated 08.08.2013 by the respondents. Accordingly, the instant Original Application is dismissed. However, the applicant shall be at liberty to prefer a fresh Original Application before the Mumbai Bench of this Tribunal, if so advised. No order as to costs.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER

Kumawat