

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA**

OA No. 050/00455 of 2017

Date of order reserved: 28.03.2018

Order pronounced on 06.04.2018

(Patna, this the day of April, 2018)

CORAM

Hon'ble Shri A.K. Upadhyay, Member [A]
Hon'ble Shri Jayesh V. Bhairavia, Member [J]

Alok Kumar son of Shri Sanatan Singh, resident of House No. C1, Road No.7
Srinagar Colony near AG Colony, P.S.- Ashiananagar, District- Patna

.....Applicant

By Advocate : Shri S.K. Bariar

Versus

1. Union of India through Secretary, Ministry of Civil Aviation, Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi-110003.
2. The Chairman, Airport Authority of India, Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi- 110003.

.....Respondents

By Advocate: Dr. Pankaj

Jayesh V. Bhairavia, M.T.J.:- In the present OA, the applicant has stated that he is working as Senior Manager, Group "A" officer, Airport Authority of India under Ministry of Civil Aviation posted at Patna Airport. The applicant has prayed for a direction to the respondents to fix his seniority in the cadre of manager (ATC) of AAI from the year 2005 i.e the vacancy year with the departmental promotes of 2005 in the light of order passed by the Hon'ble Supreme Court in Civil Appeal No. 7514-7515 / 2015 to be read with DOP&T circulars i.e O.M dated 3.7.1986 and O.M dated 04.03.2014.

2. Initially, this Tribunal issued notice to the respondents to file reply in the OA on admission on 2.8.2017. The official respondents i.e respondent no. 2, AAI had filed their written statement dated 27.3.2011 stating that as per the provisions of the A.T. Act, 1985, this OA is not maintainable for want of jurisdiction of this Tribunal. The Airport Authority of India is not notified under Section 14 (2) of the A.T. Act, 1985.

3. In view of the above, we notice that Airport Authority of India is not amenable to the jurisdiction of this Tribunal under the provision of Section 14 (2) of the A.T. Act. The prayer sought by the applicant against the AAI is not maintainable. Therefore, this OA is dismissed at this stage of admission itself for want of jurisdiction. The interim direction issued by this Tribunal stands vacated. The applicant is at liberty to pursue his grievance before the appropriate forum.

(Jayesh V. Bhairavia) M [J]

(A.K. Upadhyay) M (A)

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