

**Central Administrative Tribunal
Jaipur Bench, Jaipur**

O.A. No. 36/2019

Reserved on: 01.02.2019

Pronounced on:04.02.2019

Hon'ble Mr. A. Mukhopadhaya, Member (A)

Manish Kumar Son of Late Shri Laxman Singh, aged about 25 years, R/o Shiv Colony Suroth, Tehsil Hindaun, District Karauli (Deceased father of applicant was working on the post of UDC, at field workshop 1085, GREF Centre, Arunachal Pradesh, under the Border Road Organisation).

...Applicant.

(Present: None)

Versus

1. Union of India through the Secretary Defense, South Block, Central Secretariat, Rajpath Marg, New Delhi 110011.
2. Director General, Border Road Organization, Head Quarters Dte General Border Roads, Seema Sadak Bhawan, Ring Road, Delhi Cantt, New Delhi-110011.
3. Commandant, GREF Centre, Dighi Camp Pune-411015.
4. Lieutenant Cornel, Officer Commanding, 1085, FD. WKSP (GREF), C/o 99, APO, PIN-931085.

...Respondents.

ORDER

A question of jurisdiction of this Tribunal has arisen with reference to the present Original Application, (OA), presented for hearing at the admission stage itself.

2. Briefly, the case pertains to the applicant, vide respondents' letter dated 02.11.2018, being refused compassionate appointment with the General Reserve Engineering Force, (GREF), of the Border Road Organisation, (BRO) on the death of his father – EXGS-167085H UDC Laxman Singh who died on 27th October 2016. Learned counsel for the applicant, (order sheet dated 31.01.2019 refers), had prayed for a short adjournment in order to address the specific point as to whether this OA lies within the jurisdiction of this Tribunal. This question arose in view of the Apex Court's judgment dated 02.02.2017 in Civil Appeal No.10131 of 2016 arising out of the SLP (C) No.31556 of 2013 in the case of **Mohammed Ansari vs. Union of India & Others**, in which it had been held that the Central Administrative Tribunal has not been conferred the jurisdiction to deal with a lis relating to the GREF of the BRO.

3. Today, when the case came up for hearing, despite being called more than once, none appeared for the applicant. In the circumstances, the case file was perused and the abovementioned judgment of the Apex Court in the case of **Mohammed Ansari**, (supra) was also perused. *Prima facie*, from a perusal of the said order, it appears clear that this Tribunal does not have the jurisdiction to entertain this OA which relates to a lis involving the GREF of BRO.

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4. In view of the position as above, this OA cannot be entertained by this Tribunal being outside its jurisdiction and the same is liable to be returned to the applicant.

5. Accordingly, the Registry is directed to return this OA to the applicant or his counsel if and when either of them present themselves so that the same may be preferred before the appropriate forum, if so advised. In that event, the Registry is also directed to retain a copy of this OA for record.

(A Mukhopadhaya)
Member (A)

/kdr/