

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

O.A. No. 137/2019

Date of order: 15th April, 2019

Coram : Hon'ble Mr. Suresh Kumar Monga, Judicial Member
Hon'ble Mr. A. Mukhopadhaya, Administrative Member

Govind Singh Kulhari son of Shri Nagar Mal, aged about 27 years, Resident of Village Hanumanpura, Tiloka ka Bas, Post Birmi, District Jhunjhunu (Raj.) (Applied for the post of TGT under advertisement No. 14 issued by Kendriya Vidyalaya Sangthan) Group-B.

....Applicant

(Present: None)

VERSUS

1. Union of India through its Secretary, Department of HRD (Human Resources), Govt. of India, Govt. Secretariat, New Delhi-110016.
2. Commissioner, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.
3. Joint Commissioner (Administration), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.

...Respondents.

ORDER (ORAL)

Per: Hon'ble Mr. Suresh Kumar Monga, Judicial Member

Case called twice. Nobody has chosen to appear on behalf of the applicant.

2. After perusal of the record, we find that the present Original Application cannot be entertained before this Bench of the Tribunal in view of Clause 33 of the Employment Notice No. 14

(2)

(Annexure-A/1). Clause 33 of the Employment Notice reads, thus: -

"33. Any dispute with regard to this recruitment shall be subject to the court having its jurisdiction in Delhi only."

3. While interpreting the jurisdiction ouster clause in the matter of **Gajanand Saini Vs Union of India and Another** (OA No. 291/39/2018 decided on 14.11.2018), it has already been held that the Original Application cannot be maintained before this Bench of the Tribunal where the jurisdiction is specifically ousted by way of a stipulation in the Employment Notice.

4. In view of the above, we are of the considered view that the present Original Application cannot be entertained before this Bench of the Tribunal and the same is liable to be returned to the applicant.

5. Accordingly, the Registry is directed to return the Original Application to applicant enabling him to present the same before the Principal Bench of this Tribunal, if so advised. While returning the Original Application, a copy of the same shall be retained by the Registry.

(A.Mukhopadhaya)
Member (A)

(Suresh Kumar Monga)
Member (J)

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