

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/807/2016

DATE OF ORDER: 02.08.2019

CORAM

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

Vinod Kumar Saini S/o Sunder Lal Saini, aged about 23 years, Resident of Dhani Dudhaniya, Post Gadrata, Tehsil Khetri, District Jhunjhunu (Rajasthan).
Applicant has applied for the post of Gangman/Trackman in R R Cell, Mumbai.

....Applicant

None present for the applicant.

VERSUS

1. Union of India through its Under Secretary to the Government of India, Ministry of Railway, Rail Bhawan, New Delhi.
2. Chairman, Railway Recruitment Cell, Western Railway, Parcel Depot, Alibhai Premji Marg, Grant Road (East), Mumbai.

....Respondents

Mr. Anupam Agarwal, counsel for respondents.

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

Learned counsel for the respondents, at the very outset, while referring to clause 17.0 of the Employment Notice No. RRC/WR/02/2013 (Annexure R/1), has raised a preliminary objection with regard to maintainability of the present Original Application and argued that this Bench of the Tribunal has got no territorial jurisdiction to entertain the same. In support of his argument, he has placed reliance upon a judgment rendered by

this Bench of the Tribunal in the case of **Hariom Meena vs. West Central Railway & Ors.** (O.A. No. 291/547/2017 – decided on 03.01.2019).

2. Clause 17.0 of the said Employment Notice is reproduced here as under:

“17.0 For any legal issues arising out of this Employment Notice, the Jurisdiction shall be under Hon’ble Central Administrative Tribunal Mumbai only.”

3. In view of the judgment in **Hariom Meena’s** case (supra), we are of the considered view that the present Original Application cannot be entertained by this Bench of the Tribunal and the same is liable to be returned to the applicant.

4. Accordingly, the Registry is directed to return the present Original Application to applicant enabling him to present the same before appropriate 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)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER