

Court No. - 10

Case :- WRIT - A No. - 5810 of 2003

Petitioner :- Mahesh Pal Meena

Respondent :- Director General And Others

Counsel for Petitioner :- Shadab Ali,M.S.Ali,Udit Chandra

Counsel for Respondent :- S.S.C.,A.K.Rai,Arvind Kumar
Goswami,Narendra Prasad Shukla,Vipin Kumar Jain

Hon'ble Kshitij Shailendra,J.

1. Before the matter could be heard on merits, Shri Arvind Kumar Goswami, learned counsel for the respondent-Department submits that the writ petition is not maintainable before this Court as the Central Administrative Tribunal has jurisdiction to entertain the dispute. He further submits that against suspension also, the petitioner had approached the Central Administrative Tribunal, that relegated the petitioner to avail remedy of appeal.

2. Shri Udit Chandra, learned counsel for the petitioner submits that the Central Administrative Tribunal dismissed the Original Application filed in 2003 on the ground that the Tribunal has no jurisdiction in view of the fact that Prasar Bharti Broadcasting Corporation of India has not been notified or brought under the jurisdiction of Central Administrative Tribunal. Reference to paragraph No. 17 of the writ petition has been made with regard to certain observations made by the Central Administrative Tribunal in its order dated 28.01.2003.

3. On the insistence of the Court, Shri Udit Chandra has placed before the Court a copy of the order dated 28.01.2003, wherein nothing to the aforesaid effect is mentioned, rather, the Original Application was rejected as withdrawn granting liberty to the petitioner to approach the appropriate Forum.

4. List this case on 29.11.2023.

5. Learned counsel for both the sides shall address the Court again on the maintainability of the writ petition with reference to the proceedings previously held.

6. Shri Goswami shall also try to obtain a copy of concerned notification by the next date.

Order Date :- 31.10.2023

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