

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.778 of 2016

=====

Manoj Kumar Yadav, son of Late Bhagwan Singh, resident of village + P.o.-
Kaura, P.S.- Jagdishpur, District- Bhojpur

.... Petitioner/s

Versus

1. The Union of India through the Director General, Indian Council of Medical Research V. Ramalinga Swami Bhawan Ansari Nagar, New Delhi- 29
2. The Administrative Officer, Indian Council of Medical Research V. Ramalinga Swami Bhawan Ansari Nagar, New Delhi- 29
3. The Director, Regional Medical Research Center for Tribals Nagpur Road, P.o.- Garha, Jabalpur- 482003
4. The Administrative Officer, Regional Medical Research Center for Tribals Nagpur Road, P.O.- Garha, Jabalpur- 482003

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Maya Shankar Mishra, Advocate.

For the Respondent/s : Mr. S.D Sanjay, Addl. Soc. Gen.
Mr. Rajesh Kumar Verma, CGC.

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 14-07-2016

The order dated 24th August, 2015 passed by the Central Administrative Tribunal, Patna Bench, Patna in O.A. No. 050/00628/2015 is the subject matter of challenge in the present writ petition. The petitioner claims appointment on compassionate ground after the death of his father, who was working in Regional Medical Research Centre for Tribals, Jabalpur, Madhya Pradesh.

The challenge in the Original Application is to an order passed

by the Administrative Officer of Regional Medical Research Centre for Tribal, Jabalpur, Madhya Pradesh, who declined compassionate appointment to the petitioner.

The Tribunal has rightly held that the Central Administrative Tribunal, Patna Bench, Patna has no jurisdiction to entertain such claim of the petitioner as the Regional Medical Research Centre for Tribals is not located within the jurisdiction of this Tribunal.

Since the petitioner claims appointment on compassionate ground, therefore, he has to approach the Tribunal where the respondent concerned is located. Mere fact that the order of rejection of his claim of compassionate appointment was received in the State of Bihar will not confer any jurisdiction to invoke the jurisdiction of the Tribunal at Bihar. Reference may be made to a judgment of the Supreme Court in the case reported as *Oil and Natural Gas Commission v. Utpal Kumar Basu & Ors., (1994)4SCC 711.*

Thus, we do not find any error in the order passed by the Tribunal. The writ petition is, thus, dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	25.07.2016
Transmission Date	