

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20546 of 2018

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Guru Adhin, S/o- Late Jagdish Varma, Resident of – Sant Sadan, 327, Vivek Khand – 3, Gomti Nagar, P.S- Gomti Nagar, District – Lucknow, presently Residing at 301, Shyam Bindeshwar Residency, Saubhagya Sharma Path, Rukanpura, Bailey Road, P.S.- Rupaspur, District – Patna.

... .. Petitioner/s

Versus

1. The Union Of India through Ministry of Personnel, Public Grievances & Pension & Department of Personnel & Training.
2. The Registrar, Central Administrative Tribunal Patna Bench, Patna, Niyogan Bhawan 1st floor near IT roundabout Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Adv.
For the Respondent/s	:	Mr. S.D Sanjay (Addl. Soc. Gen.)
For UOI	:	Mr. Rajesh Kumar Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 25-10-2018

Perused the office note as well as the prayer made by the petitioner in this writ petition which requires this Court to issue appropriate direction for constitution of a Division Bench in the Central Administrative Tribunal, Patna Bench, Patna.

In view of the legal position settled by the Constitution Bench of the Supreme Court in the case of L. Chandra Kumar Vs. Union of India and Ors. since reported in (1997) 3 SCC 261 the jurisdiction of the High Court is restricted to examination of an order passed by the Central Administrative



Tribunal under the provisions of the Administrative Tribunals Act, 1985. The prayer made by the petitioner for constitution of Benches is clearly outside the power so vested in this Court and in case the petitioner is aggrieved by non-availability of Bench, he would have to seek his remedy within the provisions of the Administrative Tribunals Act and by moving the appropriate forum provided thereunder.

The application is clearly not maintainable before this Court in the nature of the relief prayed and is accordingly disposed of.

(Jyoti Saran, J)

(Nilu Agrawal, J)

Rajesh/Pragya

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.11.2018
Transmission Date	NA

