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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CWP-15149-2016(O&M)

*Date of Decision: 8<sup>th</sup> of April, 2025*

*PRATIGYA SHARMA AND OTHERS* .....Petitioner (s)

V/s.

*UNION OF INDIA AND OTHERS* .....Respondent(s)

**CORAM:** **HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**  
**HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. G.C. Dhuriwala, Advocate for the petitioners.

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**SANJEEV PRAKASH SHARMA, J. (Oral)**

1. The present Writ Petition assails the order dated 30.05.2016 passed by the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (for short "the CAT") whereby by the petitioners, who are working as Preraks and were receiving honorarium, were held to be not employees of the U.T., Administration and were, thus, not found to be having any *locus* to challenge to put up their claim before the CAT.

2. The jurisdiction, powers and authorities of the Central Administrative Tribunals are well defined under the Administrative Tribunal Act, 1985 (hereinafter referred to as the Act of 1985) which lays down that the Central Administrative Tribunals would exercise their powers and authorities in relation to recruitment and service matters concerning persons, who are members of the All India Services or who are holding any civilian post in the Central Services.

3. We also note that apart from above, by special notifications, the power is available under the Act to include the employees working in



the other Institutions to be amenable to jurisdiction of Central Administrative Tribunals. However, neither any notification has been shown to the CAT nor to us which would reflect that the jurisdiction has been granted to the CAT to hear the matter relating to Preraks.

4. For the purpose of adjudication, it would be apposite to quote provisions of Section 14 of the Act of 1985, which reads as under :-

*“14. Jurisdiction, powers and authority of the Central Administrative Tribunal.—*

*(1) Save as otherwise expressly provided in this Act, the Central Administrative Tribunal shall exercise, on and from the appointed day, all the jurisdiction, powers and authority exercisable immediately before that day by all courts (except the Supreme Court) in relation to—*

*(a) recruitment, and matters concerning recruitment, to any All-India Service or to any civil service of the Union or a civil post under the Union or to a post connected with defence or in the defence services, being, in either case, a post filled by a civilian;*

*(b) all service matters concerning—*

*(i) a member of any All-India Service; or*

*(ii) a person [not being a member of an All-India Service or a person referred to in clause (c)] appointed to any civil service of the Union or any civil post under the Union; or*

*(iii) a civilian [not being a member of an All-India Service or a person referred to in clause (c)] appointed to any defence services or a post connected with defence, and pertaining to the service of such member, person or civilian, in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India or under the control of the Government of India or of any corporation [or society] owned or controlled by the Government; (c) all service*



*matters pertaining to service in connection with the affairs of the Union concerning a person appointed to any service or post referred to in sub-clause (ii) or sub-clause (iii) of clause (b), being a person whose services have been placed by a State Government or any local or other authority or any corporation 3[or society] or other body, at the disposal of the Central Government for such appointment*

*(2) The Central Government may, by notification, apply with effect from such date as may be specified in the notification the provisions of sub-section (3) to local or other authorities within the territory of India or under the control of the Government of India and to corporations [or societies] owned or controlled by Government, not being a local or other authority or corporation [or society] controlled or owned by a State Government:*

*Provided that if the Central Government considers it expedient so to do for the purpose of facilitating transition to the scheme as envisaged by this Act, different dates may be so specified under this sub-section in respect of different classes of, or different categories under any class of, local or other authorities or corporations [or societies].*

*(3) Save as otherwise expressly provided in this Act, the Central Administrative Tribunal shall also exercise, on and from the date with effect from which the provisions of this sub-section apply to any local or other authority or corporation 1[or society], all the jurisdiction, powers and authority exercisable immediately before that date by all courts (except the Supreme Court) in relation to—*

- (a) recruitment, and matters concerning recruitment, to any service or post in connection with the affairs of such local or other authority or corporation 1[or society];*
- and*
- (b) all service matters concerning a person [other than a person referred to in clause (a) or clause (b) of sub-*



*section (1)] appointed to any service or post in connection with the affairs of such local or other authority or corporation [or society] and pertaining to the service of such person in connection with such affairs.”*

5. The other claim of the petitioners, as per the Writ Petition, is to receive the minimum salary with all allowances under the Minimum Wages Act, 1948. While we hold the impugned order dated 30.05.2016 passed by the CAT, we leave it open to the petitioners to take up the matter before the appropriate authority under the Minimum Wages Act, 1948, if so advised.

6. Accordingly, the present Writ Petition, assailing the order of the CAT is **dismissed**.

7. All pending applications in this case are disposed of accordingly.

**[SANJEEV PRAKASH SHARMA]  
JUDGE**

**[MEENAKSHI I. MEHTA]  
JUDGE**

**April 8, 2025**

*Ess Kay*

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>