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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1834/2002

New Delhi this the 18th day of July, 2002

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri S.A.T.Rizvi, Member (A)

Raghunath Singh
S/O Shri Girdhari Lal,
R/O H.No.78, Sector 9,
R.K.Puram, New Delhi.

(By Advocate Shri H.C.Sharma)

..Applicant

VERSUS

1. UOI through
Secretary, Ministry of Health and
Family Welfare, Nirman Bhawan,
New Delhi.
2. Director General Health Services,
Govt.of India, Nirman Bhawan,
New Delhi.

..Respondents

O R D E R (ORAL)

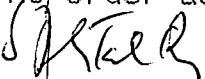
(Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)

We have heard Shri H.C.Sharma, learned counsel for the applicant. He relies on the judgement of the Hon'ble Delhi High Court dated 1.2.2002 under which, according to him, a decree of divorce has been granted to the applicant under the provisions of the Hindu Marriage Act, 1955. In the circumstances, learned counsel has submitted that the Departmental proceeding initiated against the applicant by Memo. of charges issued in 1999 is still pending and it is necessary for the Department to take ^{an} appropriate decision in the matter taking into account the aforesaid judgement of the Hon'ble High Court. In this regard, learned counsel draws our attention to the representation submitted by the applicant dated 18.3.2002 which was submitted to the Section Officer in the Department.

JCS

2. In the facts and circumstances of the case, we do not consider that the aforesaid representation submitted by the applicant to the Section Officer of the Department is adequate, as the same has not been made to the competent authority. Learned counsel submits that the impugned Memo. of charges had been issued initially by respondent No.2 i.e. Director General Health Services. Having regard to the provisions of Sections 19 and 20 of the Administrative Tribunals Act, 1985, we find no good grounds to proceed in this OA as there is no proper representation to the competent authority in the first instance. OA is accordingly dismissed in limine.

No order as to costs.


(S.A.T. Rizvi)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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