

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-1478/99

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New Delhi this the 30th day of June, 1999.

Hon'ble Mr. Justice V. Rajagopala Reddy, Vice-Chairman(J)
Hon'ble Mr. S.P. Biswas, Member(A)

Sh. Bishan Kumar Bhardwaj,
Drawing Teacher,
G.B. S.S. School,
Ghitorni, New Delhi. Applicant

(through Dr. S.P. Sharma, advocate)

versus.

1. The Govt. of NCT of Delhi through
Chief Secretary,
Old Secretariate,
Delhi.
2. The Lt. Governor of Delhi,
Raj Niwas Delhi.
3. The Director of Education,
Old Secretariate, Delhi.
4. The Dy. Director of Education,
C-4, Vasant Vihar, New Delhi.
5. The Principal,
Govt. Boys S.S. School,
Ghitorni, New Delhi. Respondents

ORDER(ORAL)

Hon'ble Sh. S.P. Biswas, Member(A)

Applicant, a teacher in Government Co-education
Senior Secondary School under the respondents is aggrieved
since the period from 17.1.93 to 3.7.95 has been treated by
the respondents as "dies-non" on account of the alleged
unauthorised absence from duties.

2. The applicant has submitted an appeal on
29.01.98 to the Director of Education, i.e. Respondent

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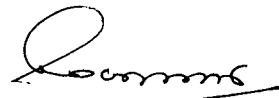
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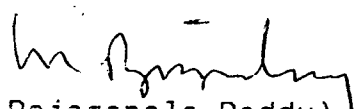
No.3 setting out the grounds on which dies-non should not have been attributed to him. He also prayed for a personal hearing in an attempt to get his grievances redressed through the concerned authorities, but without any avail.

3. The respondents appear to have not taken any action on the appeal of the applicant as at Annexure-H at page 33 of the O.A. It is obvious that without having the appeal decided by the respondents as an alternative source of remedy, the applicant has rushed to this Tribunal. This is impermissible in terms of provisions under Administrative Tribunals Act 1985.

4. In the background of details as aforesaid, we consider it appropriate to direct the respondents (Respondent No.3) to dispose of applicant's appeal as at Annexure L dated 29.01.98 with a reasoned order within a period of six weeks from the date of receipt of the order. The applicant shall be informed of the decision accordingly.

5. The O.A. is disposed of as aforesaid at the admission stage itself. The applicant will have the liberty to reagitate the issue at the appropriate forum in case his grievances do not get settled on the basis as directed above.


(S.P. Biswas)
Member(A)


(V. Rajagopala Reddy)
Vice-Chairman(J)