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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA NO. 1625/99
NEW DELHI THE DAY OF 22nd JULY, 1999

In the matter of:

Shri Gouri Prasad
S/o Shri Komal Prasad
Ticket Collector
Northern Railway
Railway Station
Delhi. Applicant
(By Advocate: Sh. B.S. Maine)

Vs.

Union of India through

1. The General Manager
Northern Railway
Baroda House
New Delhi.
2. The Divisional Railway Manager
Northern Railway
State Entry Road
New Delhi.
3. The Station Superintendent
Northern Railway
Railway Station
Delhi.

.... Respondents

ORDER (ORAL)

BY REDDY. J.

The OA challenges the order imposing punishment against the applicant. It is clearly stated in the impugned order itself that in Rule 18 of the Railway Servants (Discipline & Appeal) Rules 1968 an appeal lies against the order. Admittedly the OA is filed with approaching the appellate authority and exhausting the alternative statutory remedy. Section 20 of the AT Act 1985 mandates that the alternative remedy shall be exhausted before filing the OA.

Learned counsel for applicant submits that in some matters this Tribunal has passed orders staying the impugned order therein and directing the applicants to approach the appellate authority.

The facts and circumstances may be different in those matters and we are not prepared to order the same order in this case as the statutory provisions are clear that OA is not normally maintainable unless the alternative remedies have been exhausted.

In the circumstances the OA is dismissed as not maintainable.

It may be observed that if the applicant files an appeal within a period of one week from today the appellate authority is

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directed to dispose of the same within a period of 30 days thereafter. With the above observation the OA is dismissed.

Dasti order.

R.K.Ahooja
(R.K.AHOOJA)
MEMBER(A)

'sd'

V.Rajagopal Reddy
(V.RAJAGOPAL REDDY)
VICE CHAIRMAN(J)