

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.80 of 1997

New Delhi, this 7th day of July, 2000

Hon'ble Shri V.Rajagopala Reddy, Vice Chairman(J)
Hon'ble Smt. Shanta Shastry, Member(A)

Dalip Singh
S/o Shri Khazan Singh
R/o WZ-35, Ambarahi
New Delhi-110045

... Applicant

(By Advocate: Shri S.R. Dwivedi)

versus

1. Delhi Administration, through its
Chief Secretary
Old Secretariat, Civil Lines
Delhi-110054.

2. The Director General
E.S.I. Corporation
Panchdeep Bhawan, Kotla Raod
New Delhi-110002.

3. The Medical Superintendent
E.S.I. Hospital, Basaidarapur
New Delhi-110015

... Respondents

((By Advocate: Shri G.R. Nayyar - not present))

ORDER(Oral)

By Reddy, J.

Heard the learned counsel for the applicant.

None appears for the respondents.

2. After hearing, ^{the applicant's counsel,} since no counsel is appearing for the respondents, we are not in a position to ascertain whether the appeal filed by the applicant had been disposed of or not. In the counter it was ^{however,} stated that pending disposal of the appeal, the OA has been filed. Since the appeal, under the Act, is a statutory remedy and the appellate authority is entitled to go into the merits of the matter and may also reduce or interfere with the punishment otherwise, which is not possible for us to do ~~so~~ in the exercise of our judicial review

[Signature]

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jurisdiction, we are constrained to dispose of the OA directing the appellate authority in this case to dispose of the appeal within three months from the date of receipt of a copy of this order, after hearing the applicant, both on merits as well as on the penalty, by passing a speaking order. After passing such an order, the applicant is entitled to question the same if he is aggrieved before the Tribunal. The OA is accordingly disposed of. No costs.

Shanta

(Smt. Shanta Shastri)
Member(A)

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V. Rajagopala Reddy

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