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Central Administrative Tribunal
Principal Bench, New Delhi.

C. A. No. 281/94

New Delhi this the 22nd Day of February, 1994.

Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman
Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Sh. Tara Chand,
S/o late Sh. Chamba Ram,
C/o MES Colony,
Dabwali Road, Sirsa,
Haryana.

Petitioner

(By advocate Ms. Jasvinder Kaur)

versus

1. Union of India
through the Secretary,
Ministry of Defence,
Raksha Bhavan,
New Delhi.
2. Garrison Engineer,
CWE, Kashmir House,
New Delhi.
3. Garrison Engineer, AF,
CWS, Sirsa,
Haryana.

Respondents

Order(Oral)
delivered by Hon'ble Mr. Justice S.K. Dhaon, V.C.

The order dated 29.12.1993 passed by the SE, CWE AF Bikaner whereby the petitioner was awarded a punishment of reduction to ^alower grade with effect from 29.12.1993 is being impugned in the present application.

The learned counsel for the petitioner has fairly stated that the statute provides for an appeal but the petitioner was misadvised to prefer an O.A. in this Tribunal. We are not satisfied that an extra ordinary case is made out where the statutory remedy should have been by-passed. We are, therefore,

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not inclined to entertain this application at this stage.

In the interest of justice, we direct that if the petitioner prefers an appeal before the competent authority within a period of two weeks from today, the appeal shall be entertained and disposed of on merits and in accordance with law on the footing that the same has been filed within time.

With these observations, this application is rejected.

B. N. Dhondiyal
(B. N. DHOUNDIYAL)
MEMBER (A)

S.K. Dhaon
(S. K. DHAON)
VICE CHAIRMAN

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