

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 1341/88
T.A. No.

198

DATE OF DECISION 9.8.1989.

Hoshiar Singh Applicant (s)

Shri V.P. Sharma Advocate for the Applicant (s)

Versus

Union of India. Respondent (s)

Shri o.p. Kshtriya, counsel for Advocat for the Respondent (s)

CORAM : Shri P.S. Mehandru,

The Hon'ble Mr. T.S. Oberoi, Member (J)

The Hon'ble Mr. M.M. ^{Mathur} ~~Sudan~~, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. To be circulated to all Benches of the Tribunal ?

JUDGEMENT

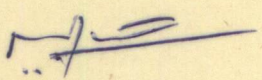
(delivered by Shri T.S. Oberoi, Member)


Vide our order dated 18th July, 1989, records regarding the selection were called for and the same had been received and perused. On a perusal of the record of selection, it is noticed that the applicant has not filed any appeal before the appellate authority with regard to the impugned order and, thus, the departmental remedy has not been exhausted. At this stage, Shri V.P. Sharma, learned counsel for the applicant, came forward with a plea and stated that the applicant wants to avail the departmental remedy by filing an appeal with regard to the impugned order. We think it proper that the departmental remedy should be availed of by the applicant, before any further consideration, of the applicaion, by this Tribunal. Accordingly, the respondents may consider the appeal, if filed by the applicant, within two weeks,

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and decide the same within a period of two months thereafter. Needless to say that if the applicant is not satisfied with the outcome of his appeal, he would be free to come before this Tribunal, with regard to the relief sought for. It is further clarified that delay involved in filing the appeal by the applicant, as above, shall be deemed to have been condoned.

This application is disposed of in the above terms, with no order as to costs. A copy of this order be issued dasti to both the counsel.


(M.M. Mathur)
Member (A)


(T.S. Oberoi)
Member (J)