

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/01538/2018

DATED THIS THE 10<sup>th</sup> DAY OF MARCH 2021

**CORAM:**

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

HON'BLE SHRI RAKESH KUMAR GUPTA MEMBER (A)

Sudhakar.S.M.  
Aged about 44 years,  
Transmission Executive,  
(under orders of removal from service)  
All India Radio, Bhadravathi &  
Residing at #C-5, AIR Staff Quarters,  
Dollars Colony, RMV 2<sup>nd</sup> Stage,  
Lottegollahalli, Bangalore 560094. ....Applicant

(By Party in person)

Vs.

1. The Union of India  
Represented by its Secretary,  
Ministry of Information and Broadcasting,  
'A' Wing, Shastry Bhavan,  
New Delhi – 110 001.

2. The Chief Executive Officer,  
Prasar Bharati, II Floor,  
PTI Building, Parliament Street,  
New Delhi - 110 001

3. The Director General,  
All India Radio,  
Akashavani Bhavan,  
Parliamentary Street,  
New Delhi – 110 001.

4. The Addl. Director General  
South Zone, SR-II,  
All India Radio Complex,  
Raj Bhavan Road,  
Bangalore- 560 001.

5.The Head of Office,  
All India Radio,  
Mangalore- 575 004.

6.The Head of Office,  
All India Radio,  
Bhadravathi 577302.

7.The Chief Manager,  
Syndicate Bank (Regional Office)  
Udupi 576101. ...Respondents

(By Advocate Shri S.M.Arif and Shri V.N.Holla, Senior Panel Counsel)

ORDER (ORAL)

Per: SURESH KUMAR MONGA, MEMBER (J):

At the very outset Shri S.M.Arif, learned counsel for the respondents has raised a primary objection that the impugned order of penalty dated 2.8.2017 is an appealable order and without availing the efficacious remedy of appeal, the present Original Application cannot be entertained, filed by the applicant before this Tribunal.

2. Confronted with this, Shri Sudhakar, the applicant who has put in appearance in person, stated that he may be permitted to withdraw the present Original Application with liberty to file an appeal against the order dated 2.8.2017 before the Appellate Authority.

2. In view of the above, the Original Application is dismissed as withdrawn with liberty to the applicant to file an appeal against the order dated 2.8.2017. If, such an appeal is filed within a period of 15 days from today, the same shall be disposed of by the Appellate Authority within a period of 2 months thereafter without raising the issue of limitation.

Before taking a decision over the applicant's appeal, he shall also be afforded an opportunity of hearing.

3. Ordered accordingly.
4. There shall be no orders so as to costs.

(RAKESH KUMAR GUPTA)  
MEMBER (A)

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(SURESH KUMAR MONGA)  
MEMBER (J)