

(8)

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
DELHI.**

OA 1168/87.

June 8, 1988.

Shri R.S. Saini .... Applicant.

vs.

Union of India .... Respondent.

**CORAM:**

Hon'ble Mr. Justice K.Madhava Reddy, Chairman.

Hon'ble Mr. Kaushal Kumar, Member.

For the applicant ... Shri K.N.R.Pillai, counsel.

For the respondent ... Shri M.L.Verma, counsel.

(Judgment of the Bench delivered by Hon'ble  
Mr. Justice K.Madhava Reddy, Chairman).

This case is posted today for orders as to  
early hearing. We have, with the consent of both the  
parties, heard the main case. We find that the order  
of removal from service dated 3.12.1986 is called in  
question in this Application under Section 19 of the  
Administrative Tribunals Act, 1985. Against that order,  
the applicant had preferred a departmental appeal on  
17.2.1987. That appeal not having been disposed of  
within a period of six months, he moved this Tribunal  
on 18.8.1987.

The respondents state in their counter that  
the appeal is being considered; but having regard to

-----2.

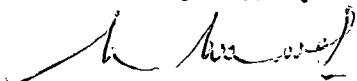


Section 19(4) of the Administrative Tribunals Act, when an application is filed before the Tribunal under Section 19(1) of the Act and the same is admitted, the departmental appeal stands abated. We think it is more appropriate that the Appellate Authority should have disposed of the appeal within six months than this Tribunal disposing of his grievance without having the benefit of the appellate order.

In the circumstances of the case, we direct the Appellate Authority to dispose of the appeal within a period of three months from today. This application is allowed to the extent indicated above and directions as stated shall issue.

If the applicant is aggrieved by any order made by the Appellate Authority, nothing said herein shall preclude him from moving the Tribunal afresh.

Order (dasti) be issued to both the parties.

  
(Kaushal Kumar)  
Member  
8.6.1988.

  
(K. Madhava Reddy)  
Chairman  
8.6.1988.

  
K. Madhava Reddy