

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

OA 554 of 1990

Date of decision 3-8-1990

Shri Hans Raj Pahwa

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Applicant

versus

1. Union of India through the
General Manager, Northern Railway,
Baroda House, New Delhi.
2. Divisional Superintending Engineer,
(Estate), Northern Railway,
DRM Office, New Delhi.

For the applicant - Shri B.S. Mainee, Advocate.

For the respondents - Shri O.N. Moolri, Advocate.

ORDER: (Order dictated by Hon'ble Mr. B.S. Sekhon, VC)

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222
The instant Application is directed against the Notice dated 15th February, 1990 (Annexure A-1) which has been termed by the applicant as the impugned order. By virtue of the impugned Notice, applicant was advised that he is in unauthorised occupation of Railway Quarter No. 17/3 and that in terms of Railway Board's letter No. E(G) 81 QRI-51 dated 24.4.82, it has been decided to disallow one set of post retirement passes, otherwise admissible to the applicant for every one month of unauthorised retention of the above said Railway quarter. Applicant was given an opportunity of making representation against the proposal of withholding of post retirement passes. Applicant has made representation against the impugned Notice on 6th March, 1990 (Annexure A-4).

22

2. The instant Application was filed on 20th March, 1990. One of the objections raised in the counter is that the applicant has approached the Tribunal without exhausting the departmental remedies in the sense that he has approached the Tribunal prior to the expiry of six months from the date of making the representation. The instant Application is pre-mature and merits rejection at the admission stage. Consequently, the Application is hereby rejected on the ground of its being pre-mature. This will not, however, preclude the applicant from filing a fresh Application at the appropriate stage, if he feels so advised.

I.K. Rasgotra
(I.K. Rasgotra)
AM 3/8/90

B.S. Sekhon
(B.S. Sekhon)
VC.
3-8-90