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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
PRINCIPAL BENCH,  
NEW DELHI.  
\* \* \*

Date of Decision: 03.11.92

OA 2826/92

DOJI SINGH

.... APPLICANT.

Vs.

UNION OF INDIA

... RESPONDENTS.

CORAM:

THE HON. MR. JUSTICE RAM PAL SINGH, VICE CHAIRMAN (J).  
THE HON. MR. I.P. GUPTA, MEMBER (A).

For the Applicant

.. SHRI A.K. BHARDWAJ.

For the Respondents

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporters or not ?

JUDGEMENT (ORAL)

Heard. The applicant has prayed for quashing of the order of penalty of removal from service imposed on him by letter dated 10.10.91 and has requested for a direction to the respondents to reinstate the applicant. We find that the applicant has filed an appeal dated 1.3.92 to the Director General, Ordnance Factories, Calcutta, (Annexure A-6). The learned counsel for the applicant contends that the appeal has been answered and he has come to the Tribunal when he did not hear from the Appellate Authority for a period of six months. The applicant has a constitutional right of appeal which is

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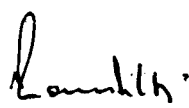
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part and parcel of the principles of natural justice. This point has been stressed in a number of cases, including that of Tulsi Ram Patel Vs. UOI (AIR 1985 SC 1416). Therefore, it is the bounden duty of the Appellate Authority to consider his appeal and to pass an appellate order.

We, therefore, direct the Appellate Authority to consider the appeal of the applicant dated 1.3.92 within a period of 3 months from the date of communication of this order and to pass a reasoned order after giving an opportunity to the applicant of being heard. In case, the applicant feels aggrieved by the appellate order, he is free to approach the Tribunal again and all issues will remain open at that stage since we have not applied our mind to various contentions of the learned counsel for the applicant in regard to legality or otherwise of the order of the Disciplinary Authority.

With the aforesaid direction and order, the application is disposed of at the stage of admission itself.

  
( I.P. GUPTA )  
MEMBER (A)  
03.11.92

  
( RAM PAL SINGH )  
VICE CHAIRMAN (J)  
03.11.92