

OPEN COURT
CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

ORIGINAL APPLICATION NO.1579 of 2004.

ALLAHABAD THIS THE 04TH DAY OF APRIL 2005.

HON'BLE MR. S.P. ARYA, A.M.
HON'BLE MR. K.B.S RAJAH, J.M.

Sudarshan Singh
Son of Sri Ram Jatan Singh,
Presently posted as Prabhageey Nideshak,
Samajik Vaniki Prabhag, Ballia.

.....Applicant.

(By Advocate : Sri R.K. Singh/Sri R.C. Srivastava)

Versus.

1. Union of India, through Secretary, Environment and Forest Department, Paryavaran Bhawan, C.G.O. Complex Lodhi Road, New Delhi.
2. State of U.P. through Special Secretary, Forest Department U.P Lucknow.
3. Chief Conservator of Forest, U.P. Lucknow.
4. Finance Controller, Office of Pramukh Van Sarakshak, U.P. Lucknow.
5. District Magistrate, Mirzapur.
6. District Magistrate, Sonebhadra.

.....Respondents.

(By Advocate : Sri K.P. Singh)

O R D E R

(By Hon'ble Mr. S.P. Arya, A.M.)

Heard Sri R.C. Srivastava, learned counsel for the applicant and Sri D.P. Singh holding brief of

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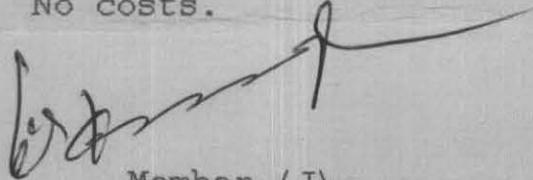
Sri K.P. Singh, learned counsel for the respondents.

2. This O.A. has been filed challenging the order dated 09.11.2004 by which the applicant has been suspended. The challenge is made on the ground that it has been passed in routine manner without holding the preliminary enquiry. No objection certificate was not issued by the applicant. The applicant being an I.F.S officer is covered by All India Services (Discipline and Appeal) Rules, 1969. The suspension, no doubt, is not a punishment. However, the Rules provide for an appeal against the same. Under section 20 of A.T. Act 1985, the applicant can approach the Tribunal only after exhausting the departmental remedies. The applicant did not file an appeal against the order challenged in this O.A.

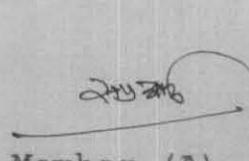
3. The O.A., therefore, can be disposed of at the admission stage itself with a direction to respondent NO.1 to dispose of the appeal within a period of two weeks, in case the appeal is filed by the applicant within a period of 10 days.

4. The O.A. is accordingly disposed of with direction to Respondent NO.1 as given above. If the grievance of the applicant persists even after the appeal is decided, he would be at liberty to approach appropriate forum.

No costs.



Member (J)



Member (A)

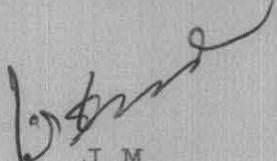
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OA. No. 1579/04

Hon'ble Mr. S.P. Arya, A.M.

Hon'ble Mr. K.B.S Rajan, J.M.

Heard Sri R.C. Srivastava, learned counsel for the applicant and Sri D.P. Singh holding brief of Sri K.P. Singh, learned counsel for the respondents.

Order dictated separately.


J.M.


A.M.

Manish/-


Copy of order issued

84.00