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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD**

**Original Application No.130 of 2005**

Allahabad this the 17<sup>th</sup> day of February, 2005

**Hon'ble Mr. Justice S.R. Singh, V.C.  
Hon'ble Mr. S.C. Chaube, Member (A)**

Manmohan Jha, Son of Late Sri Kapileshwar Jha, R/o 584-C, Loco Colony, Allahabad (Electric Driver Goods Medically unfit, N.C.R., Allahabad).

**Applicant**

By Advocate Shri R.P. Yadav

**Versus**

1. Union of India through Ministry of Railways Government of India, New Delhi.
2. General Manager, North Central Railway, Allahabad.
3. Divisional Railway Manager, North Central Railway, Allahabad.
4. Senior Divisional Electric Engineer (Operating), North Central Railway, Allahabad.
5. Senior Loco Inspector (E.O.) North Central Railway, Allahabad.

**Respondents**

By Advocate Shri A.K. Gaur

**O R D E R ( Oral )**

**Mr. Justice S.R. Singh, Vice Chairman**

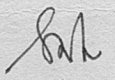
The applicant was removed from service vide impugned order dated 10.01.2005. Aggrieved against the said order, the applicant concededly preferred an appeal, which is still pending. Section 20 of the Administrative Tribunals Act, 1985 clearly provides that the Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant had availed of all the remedies available to him under

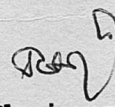
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the relevant service rules as to redressal of his grievances, meaning thereby that a litigant cannot be permitted to avail of ~~similar remedy~~ <sup>simultaneously two remedies;</sup> one by way of appeal and another by way of filing an application under Section 19 of the Administrative Tribunals Act, 1985. Therefore, we are not persuaded to go into the merits of the case. Accordingly, O.A. stands dismissed subject of course to the observation<sup>s</sup> that the appellate authority shall endeavour to dispose of the appeal, filed by the applicant, preferably within a period of two months. No order as to costs.

  
Member (A)

  
Vice Chairman

/M.M./