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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.586 OF 2005
ALLAHABAD THIS THE 26TH DAY OF MAY 2005

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN
HON'BLE MR. S. C. CHAUBE, MEMBER-A

Arijit Dutt,
Son of Late Amal Chandra Dutt,
R/o No.1, Clive Road, Civil Lines,
Allahabad, last employed as
Senior Accountant O/o Accountant General
(A & E)-I, U. P. Allahabad.

.....Applicant

(By Advocate Sri C. P. Singh)

Versus

1. Union of India,
Through Secretary,
Ministry of Finance, North Block,
New Delhi.
2. Comptroller and Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi.
3. Accountant General (A & E)-I,
U.P. Allahabad, Sarojani Naidu Marg,
Allahabad.
4. Deputy Accountant General,
O/o Accountant General (A & E)-I,
U.P. Allahabad, Sarojani Naidu Marg,
Allahabad.

.....Respondents

(By Advocate Sri Satish Chaturvedi)

O R D E R

HON'BLE MR. S. C. CHAUBE, MEMBER-A

The applicant, through this O. A. has sought
direction to quash order dated 20.09.2004 passed by
respondent no.4 dismissing the applicant from service

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and order dated 08.04.2005 passed by respondent no.3 Accountant General who is the appellate authority rejecting the appeal preferred by the applicant.

2. Briefly the facts are that the applicant who was posted and working as Senior Accountant was charged with a chargesheet Under Rule 14 of Central Civil Services (CCA) Rules 1965 for submitting false caste certificate of schedule caste at the time of his appointment as Accountant on 07.07.1993 in the Office of the then Principal Accountant General, U. P. Allahabad. Earlier, his name was sponsored for appointment in the office by Staff Selection Commission, Allahabad. After his appointment the schedule caste certificate submitted by the applicant was sent to District Magistrate Allahabad ^{who clarified} that the applicant did not belong ~~ed~~ to Chamar Caste which is covered under schedule caste category. After following the proper procedure the disciplinary authority imposed the penalty of dismissal from service with immediate effect.

3. Thereafter the applicant filed an appeal under Rule 24 of Central Civil Services (CCA) Rules 1965 against order dated 22.09.2004 passed by the disciplinary authority imposing upon him the penalty of dismissal from service.

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4. Against the order of the Appellate Authority the applicant has approached Central Administrative Tribunal Allahabad for redressal of his grievances through the present Original Application.

5. After hearing learned counsel for the parties, we notice that Rule 29 of CCS (CCA) Rules specifically provides for redressal of ^{his} ~~his~~ grievances against orders passed by the Appellate Authority.

6. Learned counsel for the applicant has stated that no such revision has been filed by the applicant before the Revisionary Authority. Besides section 20 of the Central Administrative Tribunal's Act provides that the Tribunal shall not ^{ordinarily} ~~originally~~ admit an application unless the applicant has availed all the remedies available to him under the relevant Service Rules for redressal of his grievances.


7. In view of the mandatory provisions contained in Central Administrative Tribunal's Act, we are of the view, that the applicant ^{should} ~~has~~ file ^{representation} ~~appeal~~ before the competent authority for redressal of his grievances by way of revision as provided in Rule 29 CCS (CCA) Rules 1965.

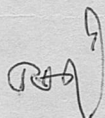
8. Accordingly the applicant is directed to prefer ^{representation} ~~appeal~~ before the Revisionary Authority who shall ^{do so} ~~do so~~.

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decide and dispose of the representation of the applicant within a period of three months from the date of communication of the copy of this order along with the representation filed by the applicant.

9. For the aforesaid reasons, the O.A. is disposed of at the admission stage itself. No Costs.


Member-A


Vice-Chairman

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