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Court No. 1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A. No. 478 of 1988

G.S.Shukla .... Applicant

Versus

Union of India & Others .... Respondents.

Hon.S.Zaheer Hasan, V.C.  
Hon. Ajay Johri, A.M.

(By Hon. S.Zaheer Hasan, V.C.)

This is an application under Section 19  
of the Administrative Tribunals Act XIII of 1985.

2. The applicant G.S. Shukla has filed this application challenging his order of suspension / dated 7.3.1988. On page 8 of the application it is mentioned in para 9 that no remedy against suspension order is provided which means that no departmental remedy has been availed. Under Rule 18 of the Railway Servants (Discipline & Appeal) Rules, 1968 it has been clearly stated that an appeal lies against the order of suspension made or deemed to have been made under Rule 5. The order of suspension was passed under Rule 5. So the applicant has rushed to this Tribunal without exhausting departmental remedy and even if we suppose that some representation was made, six months have not yet expired. The application is dismissed at admission stage.

*अजय जौहरी*  
Member (A)

*Y*  
Vice Chairman

Dated the 6th May, 1988.

RKM