

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

Registration O.A. No. 231 of 1992

Prakash Chandra Yadav Applicant.

Versus

Union of India
and another Respondents.

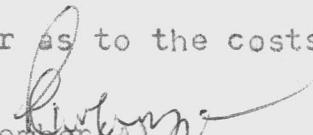
Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. K. Obayya, Member (A)

(By Hon. Mr. Justice U.C. Srivastava, VC)

The applicant was working as Assistant Director, Carpet Weaving Training-Cum-Service Centre. He was charge-sheeted because of the act of omission and commission and thereafter a departmental enquiry proceeded. After receiving of the enquiry officer's report, the applicant submitted his report against the same. Thereafter, the punishment order retiring him for service compulsorily was passed. The applicant without exhausting the departmental remedy, has approached this Tribunal. The main grievance of the applicant, in this case is that the order which has been passed, is a non-speaking order and even if the disciplinary authority agreed with the findings of the enquiry officer, he should have given the reasons. According to the respondents, the representations of the applicant were considered and personal hearing was given to the applicant but he has not stated the correct facts. Anyhow, as the remedy of the departmental appeal was not

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exhausted, this application deserves to be dismissed. It is accordingly dismissed with the observation that in case the applicant files an appeal within a period of three weeks, the same shall be entertained and shall not be rejected on the ground of limitation and it shall be disposed of on merits by a speaking order within a period of three months from the date of filing of the appeal. No order as to the costs.


Member A


Vice-Chairman

Dt: 12.1.1993

(n.u.)