

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD

Allahabad this the day of 5th July 2000.

Original Application No. 640/93

CORAM :-

Hon. Mr. Justice R.R.K.Trivedi, V.C.

Hon. Mr. M.P.Singh, A.M.

Om Prakash Singh s/o Sri La-llan  
Singh resident of village and  
P.O.Kharan, District Varanasi, Presently  
posted as Assistant Yard Master,  
Mughal Sarai, District Varanasi.

..... Applicant

Counsel for the applicant: Shri Virendra Singh.

Versus

1. Divisional Safety Officer, Eastern Railway, Mughal Sarai, District Varanasi.
2. Senior Divisional Operating Superintendent, Eastern Railway, Mughal Sarai, District Varanasi.
3. Divisional Railway Manager, Eastern Railway Mughal Sarai, District Varanasi.
4. Union of India, Ministry of Railway, through its Secretary.

..... Respondents

Counsel for the respondents : Shri D.C.Saxena.

cont.....

O\_R\_D\_E\_R\_

We have seen office report dated 29-6-2000.

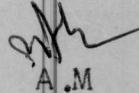
It appears that the written statement on behalf of the U.O.I. was filed on 9-1-1995, but as the wrong number of O.A. was mentioned, it could not be restored to the records. The office has now ~~pressed~~ <sup>baeed</sup> it, therefore the counter is taken on record, dictated the mistakes and placed the counter those is taken on record.

List has been revised. None is present for the applicant. Sri D.C.Saxena learned counsel ~~appears~~ <sup>for</sup> ~~on~~ <sup>the</sup> opposite parties ~~and~~ placed before us para 30 of the Counter Affidavit which shows that applicant without exhausting the departmental remedies available under the rules ~~by filing appeal~~, presented this application before the Tribunal.

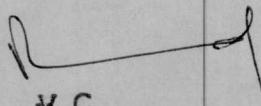
The grievance was against the order of removal dated 4-5-1993. It has also been stated that the applicant Om Prakash Singh has already filed an appeal before the Appellate authority on 10-6-1993 which is still pending. In the circumstances we do not see any merit and in our opinion this application may be rejected on the ground that applicant has already availed departmental remedy by filing an appeal.

The appeal, which has admittedly been filed before the department, shall be considered <sup>and decided in accordance with</sup> ~~as matter of grievance~~ <sup>as</sup> expeditiously.

No Costs.



A.M



V.C