

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

....

Original Application No. 180 of 1994

this the 18th day of April 2002.

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.
HON'BLE MAJ. GEN K.K. SRIVASTAVA, MEMBER (A)

Moti Lal, aged about 32 years, S/o Naththu, R/o
Mohalla Mahabiran Nagra, Jhansi.

Applicant.

By Advocate : Sri U.Nath holding brief of Sri R.K. Nigam.

Versus.

1. Union of India through General Manager, Central
Railway, Bombay V.T.
2. S.D.E.N., Jhansi.
3. A.E.N., Jhansi.

Respondents.

By Advocate : Sri P. Mathur.

O R D E R (ORAL)

JUSTICE R.R.K. TRIVEDI, V.C.

By this O.A. under Section 19 of the A.T. Act, 1985, the applicant has challenged the order dated 14.10.93 by which the punishment of removal from service was imposed against him for his un-authorized absence from duty. from 14.2.91 to 7.10.91.

2. It is not disputed that the applicant had a right to file an appeal before the appellate authority against the impugned order, which he has not availed. under Section 20 of the A.T. Act 1985, the applicant can approach this Tribunal only after exhausting all the ~~remedies~~ remedies available to him under the service rules. Notices were issued to the respondents. The learned counsel for the applicant has, however, submitted

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that the appeal if filed by the applicant now, ^{with} ~~which~~ shall be highly time barred.

3. We have heard Sri prashant Mathur counsel for the respondents on this question. Considering the fact that this O.A. ^{was} kept pending before this Tribunal for such a long time, the ends of justice ~~would be~~ ^{required} that a liberty be given to the applicant to file an appeal against the impugned order, which may be treated within time and ~~will~~ ^{may} be considered in accordance with the rules.

4. The O.A. is accordingly disposed of finally with the liberty to the applicant to file an appeal against the impugned order within a period of two weeks from the date of communication of this order. The appeal if so filed by the applicant, ~~xxx~~ shall be considered by the appellate authority in accordance with the rules and ^{he} shall ~~be~~ ^{pass} a reasoned and speaking order within a period of three months from the date of receipt of such appeal. No order as to costs.



MEMBER (A)



V.C.

GIRISH/-