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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD

DATED : ALLAHABAD THE 17th JANUARY, 1996.

CORAM : Hon'ble Mr. Justice B.C.Saksena, V.C.
Hon'ble Mr. S. Das Gupta, Member-A.

ORIGINAL APPLICATION NO. 1351 of 1995.

1. Man Singh T. No. 69/CPR, Carpenter HS-II, S/o. Nankoo.
O.E.F. Kanpur
Resident of Banglow No.62,
Tagore Road, Kanpur.
2. Chhote Lal T. No. 119/CPR, Carpenter HS-II,
son of Sri Shiv Lal,
O.E.F. Kanpur.
Resident of 85/164, Luxmi Purva,
Kanpur.Applicants.

(BY ADVOCATE SRI M.A.SIDDIQUE)

VERSUS

1. The Union of India,
Through the Secretary,
Ministry of Defence,
Department of Defence Production,
New Delhi.
2. The Director General of Ordnance Factories,
10-A, Auckland Road, Calcutta-1.
3. The General Manager, Ordnance Equipment Factory,
Kanpur.

....Respondents.

(BY ADVOCATE SHRI N.B.Singh)

O_R_D_E_R(Oral)

(By Hon'ble Mr. Justice B.C.Saksena, Vice-Chairman)

On behalf of respondents, Shri N.B.Singh has put in appearance. He has raised the preliminary objection with regard to the maintainability of the O.A. The O.A. is directed against a Show-Cause-Notice. Though the applicant had submitted his reply

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to the Show-Cause -Notice on 19th of September, 1995.

Without awaiting a decision of the authorities on the said reply to the Show Cause-Notice, the applicants have rushed to this Tribunal and have filed the O.A.

Under Section 19 of the Administrative Tribunals Act, an O.A. is maintainable against the final order as was held by the Madras Bench of the Tribunal in a case reported in 1988 (7) A.T.C. 402 and Ram Pratap Vs. UOI & others (O.A. No. 1656 of 1992 decided on 10th of September, 1993 as also decision dated 25th October, 1992 of Division Bench of this Bench in Deo Lal Vs. Union of India and others.

2. In view of the above, we find merit in the preliminary objection that has been raised. The O.A. is accordingly dismissed as pre-mature. We have no ^{will} manner of doubt that the respondents ~~will~~ take a decision on the reply to the Show-Cause-Notice, submitted by the applicant. The interim order passed earlier shall stand vacated.

UR
Member-(A)

BCR
Vice-Chairman.

DATED : 17th Jan. 1996.

Pandey/-