

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 21st day of March, 2002.

Original Application No. 287 of 2002.

CORAM:-

Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. AK Bhatnagar, J.M.

Sri AK Singh S/o Sri RPS Rathore,

R/o Anna Purna Mill Compound,

Ram Leela Road, Etawah U.P.

(Sri OP Gupta, Advocate)

..... .Applicant

Versus

1. Senior General Manager Gordnance Factory,

Kalpi Road, Kanpur.

2. Director General Ordnance Factory(DGOF)/

Chairman Ordnance Factory Board, 10-A, SK.Bose,

Road, Kolkata.

3. Union of India through Secretary Ministry of

Defence, Government of India, New Delhi.

(SR.C. Joshi, Advocate)

..... .Respondents

O R D E R (O_r_a_l)

By Hon'ble Mr. S. Dayal, A.M.

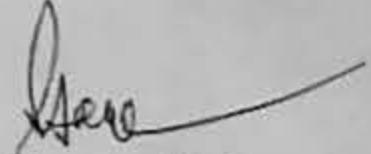
The applicant has filed this application for setting aside the order of removal from service dated 16-7-2001 and direct the respondents to reinstate him with all consequential benefits.

2. We have heard Sri OP Gupta, counsel for the applicant and Sri GR Gupta, briefholder of Sri RC Joshi, counsel for the respondents at admission stage.
3. Learned counsel for the applicant prays that a notice be issued to the respondents who have failed to decide his Appeal filed under Rule 26 of CCS(CCA) Rules, 1965 on 28-7-2001. We find that the order of punishment

was passed on 16-7-2001 and the Appeal has been filed by the applicant on 28-7-2001 which has further been forwarded by respondent no.1 to respondent no.2 vide letter dated 26-9-2001. It is claimed that the Appeal has not been decided by the respondents.

4. Learned counsel for the applicant prays that the applicant may be allowed to file a fresh Appeal since his earlier Appeal has not been decided, which may contain points raised in this OA also in addition to the points already raised in the earlier Appeal. He is allowed to file a fresh Appeal because the earlier Appeal has not been decided by the respondents. The shall be filed within a month and may be decided ~~as per~~ ^{after considering} submissions of the learned counsel for the applicant. The respondents thereafter shall decide the Appeal within two months from the date of receipt of a copy of this order by a speaking order. There shall be no order as to costs.


Member (J)


Member (A)

Dube/