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OPEN COURT  
**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**ALLAHABAD BENCH**  
**ALLAHABAD**

Allahabad this the 12th day of August , 2009

PRESENT:

HON'BLE MR. A.K.GAUR, MEMBER-J  
HON'BLE MRS.MANJULIKA GAUTAM, MEMBER-A

Original Application No.1625/2003  
(U/s 19 of the Administrative Tribunals Act 1985)

1. Chittra Sheopuri,  
S/o Late Ravi Narain Sheopuri,  
T-3 Technical Assistant, N.L.V.S.,  
Indian Veterinary Research Institute,  
Izatnagar, Bareilly.  
Indian Veterinary Research Institute,  
Izatnagar, Bareilly.
  
2. Roopan Sheopuri,  
S/o Late Ravi Narain Sheopuri,  
T-3 Technical Assistant.  
Communication Centre,  
Indian Veterinary Research Institute,  
Izatnagar, Bareilly.  
Indian Veterinary Research Institute,  
Izatnagar, Bareilly.

...Applicants.

(By Advocate : Sri G.S.D.Singh)

Versus

1. Union of India through Secretary,  
Ministry of Agriculture,  
Indian Council of Agriculture Research ,  
Krishi Bhawan, New Delhi..
  
2. Secretary,  
Indian Council of Agriculture Research ,  
Krishi Bhawan, New Delhi.
  
3. Director, Indian Veterinary Research Institute,  
Izatnagar, Bareilly, U.P.
  
4. Assistant Administrative Officer,  
Establishment Section-I ,  
Administrative Block,  
Indian Veterinary Research Institute,  
Izatnagar, Bareilly. ... Respondents.

(By Advocate : Mr.B.B.Sirohi)

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ORDERHON'BLE MR. A.K.GAUR, MEMBER-J

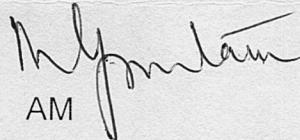
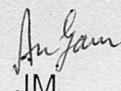
Shri B.B.Sirohi, learned counsel for respondents has raised preliminary objection at the very outset that under Rule 23 (5)(b) of CCS(CCA) Rules, this order is appealable and appeal goes to the Secretary, ICAR, but, no such appeal has been preferred by the applicant.

2. Having heard the learned counsel, we are satisfied that, preliminary objection raised by the learned counsel for respondents is ~~un~~sustainable in law.

3. We accordingly, direct the applicant to file an appeal before the competent authority, within a period of three weeks from the date of receipt of a copy of this order. If such an appeal is received by the competent authority, the same shall be considered and disposed of by a reasoned and speaking order within three months from the date of receipt of the said appeal.

4. Be it noted that, we are not passing any order on the merits of the case.

5. With the aforesaid observations, the O.A. is disposed of. No costs.

  
AM  
JM

rv