

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 161 OF 2003

ALLAHABAD THIS THE 23rd DAY OF SEPTEMBER, 2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.

HON'BLE MR. D. R. TIWARI, MEMBER (A)

Brahma Das T.No.3335/5118/G.M.S. (new T.No.3335/4928/G.M.II, son of Shri Mangat Singh, Ordinance Factory, Murod Nagar, Ghaziabad, R/o Village Dhindhar, P.O. Murad Nagar, District-Ghaziabad.

....Applicant

(By Advocate : Shri S. Tyagi)

V E R S U S

1. Union of India through Secretary, Ministry of Defence, New Delhi.

2. The General Manager, Ordinance Factory, Murad Nagar, District-Ghaziabad.

....Respondents

(By Advocate : Shri R.K. Trwari)

O R D E R

By Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman

By this O.A. filed under section 19 of Administrative Tribunals Act, 1985, the applicant has challenged the order dated 26.11.2002 (Annexure-I) by which applicant has been given punishment of reduction of pay by two stages in the scale of pay Rs.2650-4000/- with cumulative effect for a period of one year. As the applicant has remedy of statutory appeal

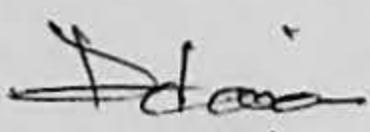
&

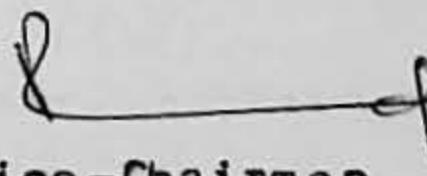
// 2 //

against the impugned order, this O.A. is not legally maintainable in view of the provisions contained under section 20 of Administrative Tribunals Act, 1985.

2. The counsel for the applicant submitted that appeal has not been filed, ^{as} by now ~~which~~ shall be highly time barred and the applicant shall be deprived of the remedy. Considering this aspect, we dispose of this O.A. with liberty to applicant to file an appeal against the impugned order within a period of 3 weeks from today. The appeal, ^{as} if so filed, ~~will~~ shall be considered and decided within 3 months from the date a copy of this order is filed. The appeal shall be decided on merit treating the same within time.

3. There will be no order as to costs. Copy of the order be given within 24 hours.


Member (A)


Vice-Chairman

shukla/-