

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHBAD BENCH : ALLAHABAD

Original Application No.1033 of 2007

Allahabad, this the 14th day of May, 2009.

Hon'ble Mr. A.K. Gaur, Member-J
Hon'ble Mr. S.N. Shukla, Member-A

Anand Mohan, Son of Late Vikram Nishad, Resident of
Quarter No.3, Tyjpe-III, Block-Ist , C.T.O.,
Compound, Agra.

..Applicant.

By Advocate : Shri S.C. Kushwaha

Versus

1. Union of India, through Secretary,
Government of India, Ministry of
Communication, Dak Bhawan, Sansad Marg, New
Delhi.
2. Smt. Manju Madhavan, Member (Finance),
Telecom Commission, Room No.915, Sanchar
Bhawan, 20, Ashoka Road, New Delhi.
3. Sri Dileep Padhye, (Controller of
Communication Accounts), D.O.T.-Cell, U.P.
(West) Circle, 3rd Floor, Brahampuri
Telephone Exchange, Meerut (U.P.).
4. Sri Gopal Tiwari (Dy. Controller of
Communication Accounts), D.O.T. Cell, U.P.
(West)Circle, Brahampuri Telephone Exchange,
Meerut (U.P.).
5. Sri Kuldeep Goyal, Chairman and Managing
Director (C.M.D.), Corporate Office,
Stateman House, 148, Barakhamba Road, New
Delhi-110001.
6. Sri Suresh Bhargava, Chief General Manager,
B.S.N.L., U.P. (West) Circle, Shastri Nagar,
Telephone Exchange, Garh Road, Meerut
(U.P.).
7. General Manager (Finance), Office of the
B.S.N.L., Chief General Manager, U.P. (West)
Circle, Shastri Nagar, Telephone Exchange,
Garh Road, Meerut (U.P.).

✓

8. Dy. General Manger (I.A.), Office of the Chief General Manager, U.P. (West) Circle, M.D.A. Building, Meerut (U.P.).
9. Chief Accounts Officer (T.R.), Office of the Chief General Manager, B.S.N.L. U.P. (West) Circle, Shastri Nagar, Telephone Exchange, Garh Road, Meerut, U.P.
10. Sri Mohan Singh Arya (Accounts Officer), Office of the Chief General Manger, B.s.N.L., U.P. (West) Circle, Shastri Nagar, Telephone Exchange, Garh Road, Meerut (U.P.).

...Respondents

By Advocate : Shri D.S. Shukla/ Shri Firoz Ahmad

O R D E R

By Hon'ble Mr. A.K. Gaur, Member-J :

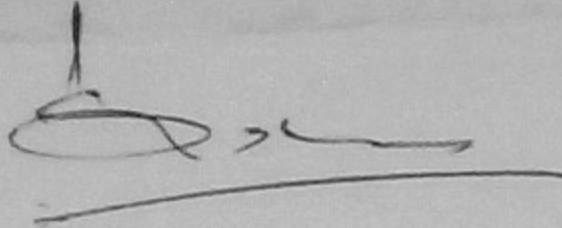
We have heard Shri S.C. Kushwaha, learned counsel for the applicant and Shri Firoz Ahmad, learned counsel for the respondents.

2. During the course of arguments of the case, learned counsel for the respondents pointed out that the applicant has not exhausted the departmental remedy of filing statutory appeal so the OA deserves to be dismissed. Learned counsel for the applicant submitted that he may be given an opportunity to file an appeal against the order of removal to the Competent Authority within a specified period of time.

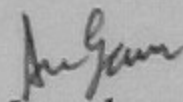
3. Having heard the parties counsel, we are satisfied that the grievance of the applicant might be redressed in case a direction is given to the applicant to prefer an appeal against the removal order dated 23.5.2008 within a period of two weeks from the date of receipt of copy of this order. If such appeal is received by the competent authority the same shall be considered and disposed of in accordance with the provisions of rules, within a period of three months from the date of receipt of

copy of this order. While deciding the appeal of the applicant the respondents may not take objection of limitation.

4. With the above direction, the OA is disposed of . No order as to costs.



Member-A



Member-J

RKM/