

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
XXXXXX XXXXXXXX XXXXXXXX

O.A. No. 693/ ~~XXXXXX~~ 1988

DATE OF DECISION 21.09.1989.

Shri. Parmar Navinbhai K. Petitioner

Mr. G. S. Haribhakti. Advocate for the Petitioner(s)

Versus

Union of India & Others. Respondent

Mr. R. P. Bhatt. Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. P. M. Joshi .. Judicial Member.

The Hon'ble Mr. M. M. Singh .. Administrative Member.

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. Whether it needs to be circulated to other Benches of the Tribunal? No

Parmar Navinbhai Kanjambhai,
Residing at Moto Vankarvas,
In Dinoobhai's House, Rajpur,
Ahmedabad...

.. Applicant.

Versus.

1. Union of India
(Notice to be served on the
-Chief Commissioner, (Admn), &
-C.I.T., Gujarat-I
Ahmedabad.)
2. The I.T.O., Officer of
(PRO) & (Wel)
Ahmedabad. .. Respondents.

CORAM : HON'BLE MR. P. M. JOSHI .. JUDICIAL MEMBER.

HON'BLE MR. M. M. SINGH .. ADMINISTRATIVE MEMBER.

O. A. 693/88

:: O R A L O R D E R ::

Dt. 21.09.1989.

Per : Hon'ble Mr. P. M. Joshi .. Judicial Member.

Mr. G.S. Haribhakti, the learned counsel for the petitioner present. In this application, the petitioner has challenged the validity of the order dt. 15.3.88, whereby his services as a 'Safaiwala' has been terminated by the respondents. It is alleged that the impugned order is bad in law and hence he has prayed that the same be quashed and set aside.

2. When the matter came up for admission, we have

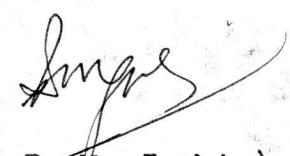
heard Mr. Haribhakti the learned counsel for the petitioner. Mr. K.M. Parikh for Mr. R.P. Bhatt for Respondents was also present. According to the petitioner, as he has worked from 5.3.1987 till the date of the impugned order, he is covered by the provisions of the Industrial Disputes Act, 1947 and since provision of the 25 F of the said Act, are not complied with, the impugned order would be bad in law. However, it was pointed out to the learned counsel for the petitioner that the contentions and the issues raised by the petitioner pertain to the Industrial Disputes Act, which can be examined by the Industrial Tribunal and the grievance, if any, can be redressed by such Tribunal. Thus, the petitioner is required to exhaust the remedy available to him.

3. Mr. Haribhakti stated that the petitioner is willing to exhaust the remedy available to him. In view of the aforesaid discussion, we direct the petitioner that he should exhaust the remedy available to him by preferring his claim before the Industrial Tribunal.

With the aforesaid direction, the application stands disposed of.

M M Singh

(M. M. Singh)
Administrative Member.


(P. M. Joshi)
Judicial Member.