

CA 417/2000

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Ref. Lawzema Court's
Order dt. 18.12.2000

For further orders

DS
2/2/01

Bench

For hearing,

add to 16.3.2001

DS
13.3.2001.

BSL

For hearing

DS
29/3/01

Bench

For hearing

DS
25/4/01

Bench

For hearing

DS
22/6/01

Bench

For hearing,

add to 22.2.01

DS
26.4.01.

BSL

DSM.

06. 25.06.01

Learned Counsel of both sides have
abstained from Court work.
Adjourned to 27.07.01.

DSM.

via-chaitan

Member (J).

07. 27.7.2001

Heard Shri K.C.Satpathy, learned counsel
for the petitioner and Shri S.B.Jena, learned A.S.C.
for the respondents and perused the records.

The petitioner in this case has approached
the Tribunal praying to quash the order dated
4.8.2000 vide Annexure-6, removing him from the post
of E.D.B.P.M., Haripur-Jemadeipur B.O. in a discipli-
nary proceedings and also ordering that the put off
duty would be treated as non-duty. It is submitted
by Shri Jena that the applicant has approached the
Tribunal without exhausting the remedy of appeal.

We find in this case the Inquiring Officer
had found the three charges have not been proved
against the applicant. But the Disciplinary Authority
differed from the findings of the Inquiring Officer
and communicated the reasons for disagreement to
the applicant in letter dated 29.6.1000 vide
Annexure-5. Thereafter the impugned order of punish-
ment vide Annexure-6 has been passed. In considera-
tion of the fact that the Inquiring Officer had held
the applicant not guilty and the Disciplinary
Authority had differed from the findings of the
Inquiring Officer, we feel that in this case the
applicant should get one more chance to have his
case examined by the higher departmental authority.
In view of this, we dispose of this O.A. with a
direction that the applicant should file an appeal
within a period of 30 (thirty) days from to-day
before the Appellate Authority and the Appellate
Authority is directed not to reject the appeal on
the ground of limitation, but consider and dispose
of the same.

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of the same on merits. The applicant is directed to file along with appeal petition a copy of this order before the Appellate Authority.

With the above direction the O.A. is disposed of, but without any order as to costs.

MEMBER (JUDICIAL)

VICE-CHAIRMAN

27.7.2001

Free copies of
final order
dt. 27.7.2001
issued to counsel
for both sides.

28-8
30/7/01

S.O (T)