

4
of 4/7/2000

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Ref. Lanzena Court's
order dt. 18.12.2000

For further orders

DS
27/6/01

Bench

For hearing,

advt to 16.3.2001

DS
15.3.2001

Bench

For hearing

DS
29/3/01

Bench

For hearing

DS
25/4/01

Bench

For hearing

DS
22/6/01

Bench

For hearing,

advt. 22.3.01

DS
26.6.01

Bench

S. Jom.

06. 25.06.01

Learned Counsel of both sides have
abstained from Court work.

Adjourned to 27.07.01.

S. Jom.
vice-chairman
25/6/01

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 disciplinary proceedings and also ordering that the ~~put off~~ ^{term of} 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 ^{that} ~~not~~ 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 punishment vide Annexure-6 has been passed. In consideration of the fact that the Inquiring Officer had held the applicant not guilty ~~not~~ 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 ~~not~~ ^{the} ~~the~~ g

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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)

N. S. M. T. M.
VICE-CHAIRMAN

27.7.2001

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

Dated
27/7/01

S.O (T)

Pray