

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Order dated : 6.5.05

Heard Mr. A.K.Nayak, Ld. Counsel for the Applicant and Mr. U.B.Mohapatra, Ld. Sr. Standing Counsel appearing for the Respondents.

2. The Applicant, having faced a punishment of removal in a departmental proceeding, has filed this O.A. No. 366/01 under section 19 of the Administrative Tribunal's Act, 1985.

3. The Respondents, who have filed a counter, have raised a preliminary objection through the Sr. Standing Counsel, Mr. U.B. Mohapatra, that the applicant has directly approached this Tribunal in the present O.A. without preferring any appeal.

4. Having heard the Ld. Counsel for both the parties on the point of preliminary objection raised by the Ld. Sr. Standing Counsel appearing for the Respondents this O.A. is disposed of, without going into the merits of the matter, by granting liberty to the Applicant to prefer an appeal by the end of May, 2005. If the Applicant prefers an appeal by the end of May, 2005 then the Appellate Authority should consider the same on merit; notwithstanding the delay in preferring the appeal.

5. With the aforesaid observation and direction, this O.A. is disposed of.

6. Send copies of this order to the Applicant and the Respondents and free copies of this order be also handed-over to the Ld. Counsels appearing for both the parties.

MEMBER (JUDICIAL)

VICE-CHAIRMAN

Copy of order dt. 6/5/05
issued to the Counsel for
both side.

[Signature]
S. K. Nayak

[Signature]
11/5/05