



FORM No. - 4
See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Application No.

OA 885

of 200

Applicant (s)

Paramananda

Respondent (s)

Union of Indoreans

Advocate for Applicant (s)

M/s A. K. Bose

Advocate for Respondent(s)

P. K. Das

S. K. Mallik

NOTES OF THE REGISTRY

D.P.O. of 10.10.04
Filed.

For Registrars,

on Memo

27/10/04

28.10.04

So (5)

For Admn's Estey -
Copy served.

28.10.04

ORDERS OF THE TRIBUNAL

REGISTER

28.10.04

Order dated : 2.11.04

Heard Mr. A.K. Bose, Ld. Counsel for the applicant. A copy of the O.A. has been served on Mr. R.C. Rath, Ld. Standing Counsel for the Respondents.

2. The applicant is aggrieved by the order dated 31.3.04 passed by the disciplinary authority at Annexure-A/3 imposing on him

NOTES OF THE REGISTRY

Or. Dr. 2.11.04

Copies of order
to all respd &
Copies of said
order prepared
for counsel &
Lok Side

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28/11/04
20/12

OA 885/04

ORDERS OF THE TRIBUNAL

the punishment of withholding of annual increments for three years with non-cumulative effect. During the submission of his grievance it reveals that the applicant has not so far submitted any appeal against the said order of punishment which he has assailed in this O.A. As the applicant has not exhausted the departmental remedies, in the interest of justice, it would be advisable to direct the applicant to place his grievance before the Appellate authority, which he should have done in the first instance. However, liberty is granted to him to file an appeal against the order of the disciplinary authority dated 31.3.04 before the appellate authority within a period of 30 days from the date of receipt of this order. On receipt of such an appeal the concerned authority is directed to consider the same according to the procedure laid down in this regard and decide the representation by passing a speaking order within a period of 45 days from date of receipt of such a representation/appeal. Further, direction is also issued to the Respondents not to affect the punishment order dated 31.3.04 till the date of next increment within which period the appeal should to be disposed of as per our direction given above.

3. With the above direction, this O.A. is disposed of at the admission stage.


3


on 885/04

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

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


Vice-Chairman


Member (J)