

ORDER DATED: 28.08.2006

None appeared for the Applicant. Mr. B.Mohapatra, Ld. Additional Standing Counsel for the Ministry of Human Resource Development is present and heard.

The Applicant was working as a Chowkidar under the Central Tibetan Schools Administration. A charge sheet was issued against the Applicant on 11.02.2004 and subsequently he was dismissed from service on 15.12.2004. Against the said dismissal order, he has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985.

From the pleading, it seems that an appeal had been preferred on 25.02.2005 and no order has been passed as yet. Since, it is admitted by the Applicant that appeal has not been disposed of, departmental remedy is yet to be exhausted. Hence, it is premature to approach this tribunal. The O.A. is therefore disposed of, at the admission stage, with direction to the Respondents to finalize his appeal, if pending, as per rule, within a period of two months from the date of communication of this order.

Subsequently, at 12.00 o'clock Mr. A.K.Mohapatra, Ld. Counsel for the Applicant appeared and explained the reason of his absence when the matter was taken up in Court.

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Send copies of this order, along with Original Application, to the Respondents and free copies of this order be given to the Ld. Counsel for both the parties.

MEMBER (ADMN.)