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CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR.

O.A.no.34/1996

Date of Order:26.2.1996

Maksood Ali

...

Applicant

VERSUS

Union of India & Ors.

...

Respondents.

Mr. A.R. Mehta

...

Counsel for the
Applicant.

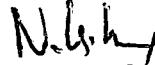
CORAM :

HON'BLE MR. N.K. VERMA, ADMINISTRATIVE MEMBER

Per Hon'ble Mr. N.K. Verma :

This is an O.A. from the applicant Maksood Ali against the order of the penalty of stopping of increment for one year by the disciplinary authority which is upheld by the appellate authority also.

The applicant has come to the Tribunal without exhausting the departmental revision available to him. In this connection the decision of this very Tribunal in the matter of Bal Kishan Soral vs. Union of India & Ors. decided on 15.7.1994 reported in (1995) 29 ATC 261 by which this Bench held that "the Revision as envisaged in the CCS(CCA) Rules, 1965, is the expression under "all the remedies" occurring in S.20(1) of the Administrative Tribunals Act, 1985. In that very judgment it was also cited that the Hon'ble Supreme Court in the case of S.S. Rathore vs. State of M.P. reported in 1989 (4) SCC 582 held while considering the provision of Administrative Tribunals Act, 1985 that "redressal of grievances in the hands of the departmental authorities takes an unduly long time. This is so on account of the fact that no attention is ordinarily bestowed over these matters and they are not considered to be governmental business of substance. This approach has to be deprecated and authorities on whom power is vested to dispose of appeals and revisions under the Service Rules must dispose of such matters as expeditiously as possible." In view of this judgment of the Hon'ble Apex Court the question of approaching the Tribunal does not arise. The O.A. is, therefore, dismissed at the stage of admission as premature and not maintainable.


(N. K. VERMA)
Administrative Member