

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH, JODHPUR

ORDER SHEET

(O. APPLICATION NO. 152 OF 2001)

Applicant(s)

Respondent(s)

Advocate for
Applicant(s)

Advocate for
Respondent(s)

Notes of the Registry

Orders of the Tribunal

2-4-2002

Mr. B. Khan counsel for the applicant.
Mr. Kamal Dave, counsel for the respondents.

The applicant has been compulsory retired from service vide order dated 18.02.1994. Against the order of compulsory retirement, the applicant has an alternative remedy of filing a departmental appeal which has not filed. Unless the xxxxxxx applicant exhausts all the departmental remedies, he cannot approach this Tribunal to seek the relief claimed.

Reply has been filed by the respondents.

After having heard the learned counsel for the parties, we feel that it would be appropriate, if the applicant is allowed an opportunity to file an appeal before the departmental authorities. This OA is finally disposed of with the direction that in case the applicant prefers an appeal within a period of twenty days from today before the departmental appellate authority, the authority concerned shall decide the appeal on merits, after giving an opportunity of hearing to the applicant, within a period of three months thereafter. The appeal shall not be dismissed on the technical ground that it has been filed beyond the limitation period.

The applicant shall be entitled to take all the grounds in his appeal which he has raised in the present OA. It is expected that all the grounds shall receive due consideration by the appellate authority.

(A. P. NAGRATH)

Adm. member

Part II and III destroyed
in my presence on 10.7.07
under the supervision of
section officer () as per
order dated 14/11/07

Section officer (Records)

(JUSTICE O. P. GARG)

Vice Chairman

1st Para in Second line of
10.7.07 Substituted in para
13-5-2002 dated 18.02.1994
13-5-2002 dated 18.02.1994
13-5-2002 dated 18.02.1994

R. C. N.
10.7.07

Recd
10.7.07
10.7.07