

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH : JODHPUR

Date of Decision : 21.02.2002

O.A No. 45/2002.

R.B. Batra son of Late M L Batra, aged about 39 years resident of 31, Custom Colony, 5 Batti Circle, Ratanada, Jodhpur, at present employed on the post of Tax Assistant, in the Office of Central Excise Division C-1(A), Punchwati Colony, Ratanada, Jodhpur.

... APPLICANT.

v e r s u s

1. Union of India through Secretary to Govt. of India, Min. of Finance, Department of Revenue, North Block, New Delhi.
2. Additional Commissioner (Personnel and Vigilance) Cadre Control Unit, Central Excise Commissionerate Jaipur, Statute Circle, New Central Revenue Building, Jaipur.
3. The Commissioner, Central Excise Commissionerate, Jaipur, Statute Circle, New Central Revenue Building, Jaipur.

... RESPONDENTS

Mr. B. Khan counsel for the applicant.

COURT

Hon'ble Mr. Justice O.P. Garg, Vice Chairman.  
Hon'ble Mr. Gopal Singh, Administrative Member.

: O R D E R :  
(per Hon'ble Mr. Justice O.P. Garg)

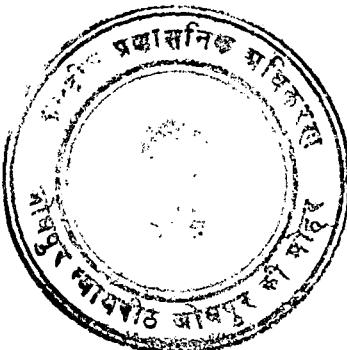
The applicant who is working on the post of Tax Assistant in the office of Central Excise Division C-1(A), Punchwati Colony, Ratanada, Jodhpur, has been subjected to punishment after departmental enquiry. He has challenged the order of punishment by filing a departmental appeal.



on 16.09.2000 (Annexure A-8). The applicant has challenged the same order of punishment before this Tribunal also by means of this OA. He cannot be permitted to take recourse to parallel proceedings, i.e. on the one hand, he has filed the appeal and on the other, he has challenged the order before this Tribunal. Unless the applicant exhausts all the departmental remedies, he cannot be permitted to invoke the jurisdiction of this Tribunal.

2. Learned counsel for the applicant pointed out that since the departmental appeal of the applicant was filed in the year September, 2000, a direction may be issued to the respondents to decide the same at an early date. We dispose of this application at the stage of admission with a direction to the appellate authority that he shall pass an appropriate speaking and reasoned order on the pending appeal of the applicant, if any, within a period of two months from the receipt of the certified copy of this order. Needless to say, the applicant shall be afforded a reasonable opportunity of personal hearing.

No order as to costs.



Copies of  
(GOPAL SINGH)

Adm. Member

fr  
(JUSTICE O.P. GARG)  
Vice Chairman

Joshi

Copy of Order along with OA file Annex  
Sent to R1 to R3 under 113 to 115  
dt 28-2-02

Part II and III destroyed  
in my presence on 3-7-07  
under the supervision of  
Second Officer (1) as per  
order dated 16-12-02

Second Officer (Record)

P/Copy  
a 20/2  
1/2

AD  
S/Gen

W/Gen  
for R 1/103  
W/Gen