

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 474 of 1991
T.A. No.

DATE OF DECISION 1-4-1991

R Madhavan _____ Applicant (s)

Mr P Sivan Pillai _____ Advocate for the Applicant (s)

Versus

Union of India & 3 others _____ Respondent (s)

Mrs Sumathi Dandapani _____ Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. SP Mukerji, Vice Chairman

&

The Hon'ble Mr. AV Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

(Mr SP Mukerji, Vice Chairman)

We have heard the learned counsel for the parties.

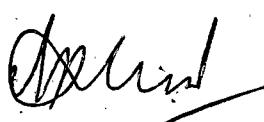
The learned counsel for the respondents indicated that the impugned order has not yet been served on the applicant as he had been on sick leave and thereafter did not report for duty. It is also evident that obviously the applicant has not gone up in appeal because of non-service of the impugned order.

2. In the circumstances and in the interest of justice, we close this application with the following directions:

The respondents should serve a copy of the impugned order dated 15.3.1991 on the applicant within a period of one week and in case the applicant avoids service, the

impugned order should be served on him through his learned counsel Shri P Sivan Pillai within a week thereafter. The applicant is directed to file an appeal within the statutory period reckoned from the date of services of the impugned order either ^{on} him ~~or~~ in person or through his learned counsel. The respondents are directed to get the appeal disposed of by the competent authority within 3 months of its receipt. The applicant will be at liberty to move appropriate legal forum, if so advised, in accordance with law, ~~and~~ in case he feels aggrieved by the outcome of ^{an} appeal ~~this application~~. The operation of the impugned order shall be kept in abeyance on the above lines, until two days from the date of communication of the appellate orders.

A copy of this order be given to the learned counsel for the applicant by hand.


(AV HARIDASAN)
JUDICIAL MEMBER


14.4.91
(SP MUKERJI)
VICE CHAIRMAN

1-4-1991

trs