

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A. NO. 616 OF 2010**

Thursday, this the 15<sup>th</sup> day of July, 2010

**CORAM:**

**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER  
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

Salim Babu P.K  
Sub Divisional Engineer  
Bharat Sanchar Nigam Limited  
Pullukulangara, Kandallloor P.O  
Alleppey

... Applicant

(By Advocate Mr. P.Chandrasekhar )

versus

1. The Chief General Manager  
Bharat Sanchar Nigam Limited  
Thiruvananthapuram
2. The General Manager Telecom  
Bharat Sanchar Nigam Limited  
Alleppey
3. The Assistant General Manager (Administration)  
Office of the General Manager Telecom Division  
Bharat Sanchar Nigam Limited  
Alleppey
4. The Divisional Engineer  
Telecom  
Bharat Sanchar Nigam Limited  
Kayamkulam
5. The Accounts Officer  
GM TD Office  
Office of the General Manager  
Bharat Sanchar Nigam Limited  
Alleppey

... Respondents

(By Advocate Mr.Johnson Gomez )

The application having been heard on 15.07.2010, the Tribunal on the same day delivered the following:



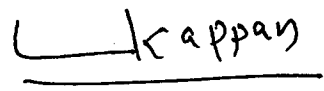
**ORDER****HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER**

The applicant has filed this OA aggrieved by Annexure A-2 order of penalty ordered by the Disciplinary Authority. The further case of the applicant is that the penalty order is in violation of principles of natural justice. He has already filed an appeal, a copy of which is attached as Annexure A-3, which is now pending before 1<sup>st</sup> respondent and that appeal is not hitherto disposed of.

2. We have heard Mr.P.Chandrasekhar, Counsel for applicant and Mr.Johnson Gomez, Counsel appearing for respondents on receipt of a copy of the OA. As per the provisions of AT Act, only after exhausting the departmental remedy, one can approach the Tribunal for redressal of his grievances. We are of the view that this OA can be disposed of at the admission stage itself by directing 1<sup>st</sup> respondent to dispose of Annexure A-3 appeal dated 17.12.2009, as evidenced from Annexure A-4 receipt of the appeal. Hence, we dispose of the OA at the admission stage by directing the 1<sup>st</sup> respondent to dispose of the appeal, which is received by 1<sup>st</sup> respondent, within a reasonable time, at any rate within 60 days from the date of receipt of a copy of this order. While disposing of the appeal, if it is necessary, the 1<sup>st</sup> respondent may get the remarks from the Disciplinary Authority as per law. There shall be no order as to costs.

Dated, the 15<sup>th</sup> July, 2010.

  
**K.NOORJEHAN**  
**ADMINISTRATIVE MEMBER**

  
**JUSTICE K.THANKAPPAN**  
**JUDICIAL MEMBER**

vs