

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 616 OF 2010

Thursday, this the 15th 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, Kandalloor 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

(By Advocate Mr.Johnson Gomez)

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

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ORDER

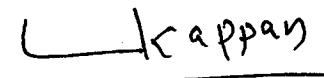
HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER

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 1st 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 1st 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 1st respondent to dispose of the appeal, which is received by 1st 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 1st respondent may get the remarks from the Disciplinary Authority as per law. There shall be no order as to costs.

Dated, the 15th July, 2010.


K.NOORJEHAN
ADMINISTRATIVE MEMBER


JUSTICE K.THANKAPPAN
JUDICIAL MEMBER

vs