

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

ORIGINAL APPLICATION NO: 122/2008

This the 26th day of August, 2008

HON'BLE MR. M. KANTHAIAH, MEMBER (JUDICIAL)
HON'BLE DR. A. K. MISHRA MEMBER (ADMINISTRATIVE)

Smt. Padam Srivastava, aged about 50 years, wife of Sri R. K. Srivastava, resident of 121, Arya Nagar, P.S. Naka Hindola, Lucknow.

Applicant.

By Advocate Sri P.S. Mehra.

Versus

1. Union of India Ministry of Defence through Defence Secretary, Defence Headquarter, New Delhi.
2. Engineer-in-Chief's Branch/E I C(I) & EIR (SUB), Army Headquarters, Kashmir House, DHQ (Defence Headquarter) Post Office New Delhi-I.
3. Chief Engineer, Headquarters, Central Command, Lucknow.
4. Chief Engineer, Lucknow Zone, Lucknow.
5. Commander Works Engineers, 229, mahatma Gandhi Marg, Lucknow.

Respondents.

By Advocate Sri Sri K.K. Sgukla.

Order (Oral)

By Hon'ble Mr. M. Kanthaiah, Member (J)

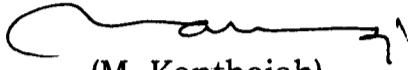
Heard both sides.

2. The applicant has filed this Original Application to set aside the impugned punishment order dated 24.2.2007 passed by the respondent No. 3 covered under Annexure A-1 and also sought consequential benefits. Applicant has also filed condonation delay application. But the respondents have filed objection for condoning delay and also stated that application is not maintainable as the applicant approached the Tribunal without exhausting the statutory remedy of appeal.

3. Admittedly, the applicant has not exhausted the statutory appeal and as such, the O.A. is not maintainable and ^{thus} ~~as such~~, the O.A. is

disposed of with a direction to the applicant to exhaust the remedies before the authorities by filing an appeal along with condonation delay application within a period of 15 days from this day and the authorities are directed to consider and pass reasoned order on such appeal within a ^{same day with} period of 3 months from the date of receipt of copy of this order and with these directions, the O.A. is disposed of. No costs.


(Dr. A. K. Mishra)
Member (A)


(M. Kanthaiah)
Member (J)
26-08-2008

v.