

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

ORIGINAL APPLICATION NO: 272/2010

This the 20th day of September, 2010

HON'BLE SHRI G. SHANTHAPPA, MEMBER (JUDICIAL)

HON'BLE SHRI S.P.SINGH, MEMBER (ADMINISTRATIVE)

Dr. S.K. Sethi, aged about 51 years, son of Shri Pawan Kumar Sethi, resident of D-9 Ikshupuri Colony, Jail Road, Lucknow.

Applicant

By Advocate Shri Dharmendra Awasthi.

Versus

1. Union of India, through the Secretary, Ministry of Agriculture, Government of India, New Delhi.

2. Director, Indian Institute of Sugarcane Research, P.O. Dilkushan, Rae Bareli Road, Lucknow.

3. Senior Administrative Officer, Indian Institute of Sugarcane Research, P.O. Dilkushan, Rae Bareli Road, Lucknow.

4. Sri K.P. Yadav, Personal Assistant to Director, Indian Institute of Sugarcane Research, P.O. Dilkushan, Rae Bareli Road, Lucknow.

Respondents

By Advocate Shri S. P. Singh for Shri R. Mishra.

Order (Oral)

By Hon'ble Shri G. Shanthappa, M(J)

Heard the learned counsel for the applicant Shri Dharmendra Awasthi and Shri S. P. Singh proxy for Shri R. Mishra, counsel for the respondents.

2. Earlier there was a direction of Hon'ble High Court that Tribunal has to decide the application within a period of one month. It was further observed that the application is filed under Section 20 of the Administrative Tribunal Act, 1985 to exhaust the remedy.



Accordingly, the applicant has submitted his appeal before the Appellate Authority on 27th August 2010. From the letter dated 6.9.2010, it is confirmed that the Appellate Authority has received the applicant's appeal. The applicant requested, direction be given to the Appellate Authority to take decision on the appeal, within a period of 15 days from the date of presentation of the appeal.

3. The learned counsel for the respondents vehemently opposed and sought 10 days time to get instructions from the Appellate Authority.

4. Be that as it may, as directed by this Tribunal, the applicant preferred an appeal before the Appellate Authority on 27.8.2010. Since the Original Application is pending before this Tribunal, the Appellate Authority has not taken the decision on the appeal filed by the applicant. Accordingly, we direct the appellate Authority to decide the appeal and pass an appropriate and reasoned order within a period of 30 days from today.

5. With the above observation, this O.A. is disposed of accordingly. No costs.


(S. P. SINGH)
Member (A)


(G. SHANTHAPPA)
Member (J)