

Fakir Mohammad

1/8.3.96

Shri M.L.Paswan, Registrar I/c

As the learned counsel for the applicant has undertaken that the defects have been removed, list before the Bench on 25.3.96 for admission.

SKS

[Signature]
(M.L.Paswan)
Registrar I/c

2/25.03.96

Counsel for the applicant : Shri R.K.Singh.

Heard Shri R.K.Singh, learned counsel for the applicant. In this O.A. the applicant has come-up against the order passed on 12th May, 1995, by which his increments for three years with cumulative effect has been withheld as per the directions of the Hon'ble Supreme Court in SLP filed by the respondents in the O.A. While passing the order of punishment the disciplinary authority had also directed the applicant to file an appeal ☐ the appellate authority within 45 days from the receipt of the punishment notice. However, instead of filing the appeal the applicant has been insisting upon a copy of the judgment of the Hon'ble Supreme Court passed in the SLP which has been quoted in the punishment order. Since, that was not provided after two representations addressed to the Rly. authority, the applicant has come to this Tribunal for seeking direction that the punishment order should be quashed and declared void abinitio.

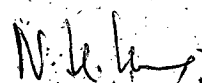
2. Having heard the learned counsel for the applicant it is felt that the O.A. is not maintainable at this

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stage as the applicant has not exhausted the available departmental remedies in the matter. He was given an option to file an appeal before the appellate authority which has not been done so far.

3. In view thereof, the O.A. is dismissed at admission stage itself as premature.


(N. K. Verma)
Member (A)

SKJ