

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 662/99.

Date of Decision: 13/8/99

Nanhen Umashankar Lal

Applicant.

Shri P. A. Prabhakaran.

Advocate for
Applicant.

Versus

Union of India & 3 Ors.

Respondent(s)

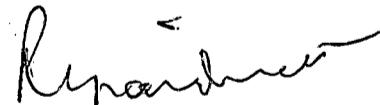
Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G. Vaidyanatha, Vice Chairman.

Hon'ble Shri. B.N. Bahadur, Member(A).

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?



(R.G. VAIDYANATHA)
VICE CHAIRMAN

abp.

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 662 of 1999.

Dated this Friday, the 13th day of August, 1999.

CORAM : Hon'ble Shri Justice R. G. Vaidyanatha,
Vice-Chairman.

Hon'ble Shri B. N. Bahadur.

Nanhen Umashankar Lal,
M.E.S. No. 123443

Residing at -
N.P./3/1, MES Quarters,
Behind CE(NW) Bhandup,
Mumbai - 400 078.

Employed in the Office of
G.E. (I) Army, Port Blair,
(AGE E/M(A) PB), Brichgunj,
Junglighat P.O., Port Blair,
Pin - 744 103.
(By Advocate Shri P.A. Prabhakaran)

... Applicant.

VERSUS

1. Engineer-In-Chief,
Kashmir House, Army H.Q.,
New Delhi - 110 011
representing the
Union of India.
2. Chief Engineer (Southern
Command) Pune,
Pune - 411 001.
3. Chief Engineer (Pune Zone)
Pune - 411 001.
4. Chief Engineer (Navy),
Port Blair.
5. Commander Works Engineer,
24, Assaye Buildings,
Colaba, Mumbai - 400 005.
6. Garrison Engineer (W) Mumbai,
Dr. Homi Bhabha Road,
Colaba, Mumbai - 400 005.
7. Asstt. Garrison Engr. E/M (West),
8, Moude Lines, Colaba,
Mumbai - 400 005.
8. Shri Shetty, J.D.,
Senior Auditor,
Local Audit Office,
25, Assaye Buildings,
Colaba, Mumbai - 400 005.

... Respondents.

|| ORDER || || ORAL ||

|| Per Shri R.G.Vaidyanatha, Vice Chairman ||

This is an application challenging the order of penalty dated 1/6/99. We have heard the counsel for applicant regarding admission. On perusal of the record, we find that the applicant has not exhausted statutory remedy of appeal as provided under the rules under Section-20 of Administrative Tribunals Act. Normally, no application shall be entertained unless the party has exhausted statutory remedy. Therefore, we are disposing of the application at Admission stage ~~with~~ liberty to applicant to exhaust ^{he} his statutory remedy and if in case/ is still aggrieved by order of Competent Authority, he can still approach this Tribunal. If in case, the appeal is barred by limitation, the Appellate Authority may condone the ^{delay} ~~limitation~~ if the appeal is filed ^{by} ~~date of receipt of order~~, within 4 weeks from ~~today~~, the appeal should be considered on merits as per rules without going into the question of limitation.

2. In the result, the OA is disposed of accordingly. There will be no orders as to costs.

B.N.Bahadur
(B.N.BAHADUR)
MEMBER(A)

abp.

R.G.Vaidyanatha
(R.G.VAIDYANATHA)
VICE CHAIRMAN