

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

Original Application No.247/2000
Dated this 7th April, 2000.

Coram: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman
and
Hon'ble Shri B.N.Bahadur, Member (A).

Shri Shivshankar Prasad,
Serving as T.T.
at TTE's Office
Pune Railway Station,
Pune.

.... Applicant

(By Advocate Shri A.M.Joshi)

vs.

1. The Divisional Commercial Manager
(COG) C.S.T. Mumbai.
2. The Divisional Railway Manager.
C.S.T., Mumbai.
3. The Divisional Railway Manager,
Pune Division, Pune.

..... Respondents

O R D E R (ORAL)

Per: Hon'ble Shri Justice R.G. Vaidyanatha, V.C

This is an application filed by the applicant challenging the order of removal from service dated 14.3.2000. We have heard Mr. A.M. Joshi learned counsel for the applicant regarding admission.

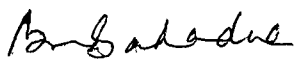
2. The applicant is challenging the order of removal from service. Under section 20 of the Administrative Tribunal Act the party has to exhaust the statutory remedy before approaching the Tribunal. This is the normal Rule. We do not find any exceptional circumstances for departing from the normal Rule. At this stage applicant's counsel submits that the applicant filed

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an appeal about four days back before the appellate authority. If that is so, the applicant can approach this Tribunal after disposal of the appeal before the appellate authority or after waiting for six months and then he can approach the Tribunal even if the appeal is pending. But having regard to the fact that applicant has lost his job ^{as a} at the result of the impugned order, ^{in which} we feel this is a fit case ^{in which} the appellate authority to dispose of the appeal preferably within three months from the date of receipt of copy of this order.

3. In the result the application is rejected at the admission stage subject to the observations above.


(B.N. Bahadur)
Member (A)


(R.G. Vaidyanatha)
Vice Chairman

sj*