

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated :

17 MAR 1988

APPLICATION NO

313

/ 88(F)

W.P. NO.

Applicant

Respondent

Shri T.G. Thimma Gowda

V/s

The Secy, M/o Commerce, New Delhi & 2 Ors

To

1. Shri T.G. Thimma Gowda
29, I Main, I Stage
5th Phase, West of Chord Road
Bangalore - 560 044

Received

Shri. T. Gowda

17/3/88

2. Shri M.S. Anandaramu
Advocate
128, Cubbonpet Main Road
Bangalore - 560 002

3. The Secretary
Ministry of Commerce
Udyog Bhavan
New Delhi - 110 011

4. The Joint Chief Controller of
Imports & Exports
No. 197, Peters Road
Royapettah
Madras - 600 014

5. The Joint Chief Controller of
Imports & Exports
7th Floor, Cauvery Bhavan
P.B. No. 9688
Bangalore - 560 009

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/~~INTERIM ORDER~~
passed by this Tribunal in the above said application on 7-3-88.

DEPUTY REGISTRAR
(JUDICIAL)

Encl : As above

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE SEVENTH DAY OF MARCH, 1988

Present: Hon'ble Shri L.H.A. Rego ... Member (A)
Hon'ble Shri Ch. Ramakrishna Rao ... Member (J)

APPLICATION NO.313/88

T.G. Thimme Gowda
working as Record Sorter
O/O the Jt. Chief Controller of
Imports and Exports
Cauvery Bhavan
Bangalore - 9. ... Applicant
(Shri M.S. Anandaramu ... Advocate)

vs.

1. The Union of India
represented by its
Secretary
Ministry of Commerce
New Delhi.
2. The Jt. Chief Controller of
Imports and Exports
7th Floor
Cauvery Bhavan
Bangalore - 9.
3. The Jt. Chief Controller of
Imports and Exports
No.197, Peters Road
Royapettah
Madras - 14. ... Respondents

This application has come up before the court
for hearing today. Hon'ble Shri Ch. Ramakrishna Rao,
Member (J), made the following:

ORDER

The prayer of the applicant, in the main, is
to issue an order or direction quashing the impugned
order of suspension bearing Re. no. 16(3)/85-86/Admn.
dated 1.9.1986 issued by the 3rd respondent (Annexure-A),
as it was passed in violation of the principles of
natural justice.

cmf

2. Section 20 of the Administrative Tribunals Act, 1985, says that the Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant had availed of all the remedies available to him under the relevant service rules as to redressal of his grievance. We note that the impugned order was passed as long ago as on 1.9.1986, but the applicant, had not exhausted the remedy of appeal available to him under Rule 20(3) of the CCS(CC&A) Rules, 1965. In this case, we do not find any extraordinary ground for the applicant not availing of the aforesaid remedy of appeal. We, therefore, give liberty to the applicant to move the appellate authority. In case, such an appeal is preferred, we direct the appellate authority to consider and dispose of the same within two months from the date of receipt.

3. In view of the above, we do not consider this application fit for admission and dismiss the same in limine at the stage of admission itself subject to the direction given in para 2 supra.

TRUE COPY

DEPUTY REGISTRAR (JUN)

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

Sd--

MEMBER (A) 7.3.88

Sd--

MEMBER (J) 7.3.88

mr.