

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 165/91

~~XXXXXX~~

198

DATE OF DECISION 2.5.1991

SMT. LEELA S. GAIKWAD Petitioner

Shri R.C. Ravalani Advocate for the Petitioner(s)

Versus

Secretary, Min. of Defence Respondent
South Block, New Delhi

None for the Respondents Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. P.S. CHAUDHURI, Member (A)

The Hon'ble Mr. T.C.S. REDDY, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

Yes

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P. S. Chaudhuri
(PS CHAUDHURI)
M(A)

(3)

BEFORE THE ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH
NEW BOMBAY

ORIGINAL APPLICATION NO. 165/91

SMT. LEELA S. GAIKWAD,
Ex. Sr. Nurse Gr. II/OFH
Ammunition Factory, Khadki,
Pune - 411003.

.... Applicant

Vs.

The Union of India,
through Secretary, Min. of Defence,
South Block,
NEW DELHI-110011

.... Respondents.

CORAM : HON'BLE SHRI P.S. CHAUDHURI, MEMBER(A)

HON'BLE SHRI T.C.S. REDDY, MEMBER (J)

Appearance:

Shri R.C. Ravalani, Adv.
for the applicant

None for the respondents

ORAL JUDGMENT

DATED: 2.5.1991

(PER : P.S. CHAUDHURI, M(A))

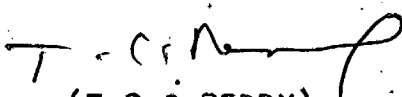
This application under Section 19 of the Administrative Tribunals Act, 1985 was filed on 5.4.1991. In it the applicant who was working as Sr. Nurse, GR II Ordnance Factories Hospital, Khadki, Pune-3, is challenging the order dated 14.7.1990, by which she is removed from service.

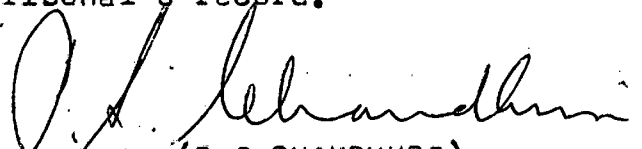
2. We have heard Mr. R.C. Ravalani, learned counsel for the applicant. It is the applicant's case that she has

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submitted an appeal dated 20.8.1990 against the impugned order but she is yet to receive a reply. Since six months have elapsed since the applicant submitted this appeal which is a statutory appeal and the appeal still remains unanswered, we have no difficulty in holding that the applicant has complied with the requirements of Section 20 of the Administrative Tribunals Act, 1985 in regard to availing of all the remedies available under the relevant service rules. Mr. Ravalami, however, fairly submitted that he would be satisfied at this stage with a direction to the respondents to pass final orders on this appeal within a reasonable period. As such a direction is an innocuous one, we propose giving it even though the respondents are not before us.

3. Accordingly, we dispose of this application at the admission stage with a direction to the respondents to consider and pass final orders on the applicant's appeal dated 20.8.1990, if not already done, in accordance with the law by 15.7.1991. If the applicant continues to remain aggrieved after final orders are passed on the said appeal she is at liberty to approach this Tribunal afresh. A copy of the application be sent to the respondent No.2 with a copy of this order. The original of this application be returned to the applicant along with a copy of this order. The original of this order and a signed and verified copy of the application be retained as a part of the Tribunal's record.


(T.C.S. REDDY)
MEMBER(J)


(P.S. CHAUDHURI)
MEMBER(A)