

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY.

OA. 19/91  
Stamp Application No.781/90.

(1)

Shri B.K.Chavan.

... Applicant.

V/s.

Union of India, & Ors.

... Respondents.

Coram: Hon'ble Member(A), Shri P.S.Chaudhuri,  
Hon'ble Member(J), Shri N.Sen Gupta.

Appearances:-

Applicant by Shri B.L.Chhajed.


Oral Judgment:

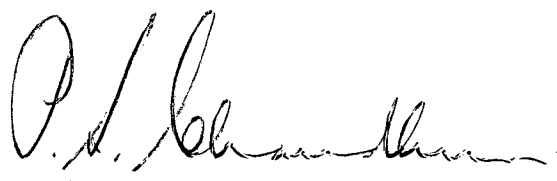
(Per Shri P.S.Chaudhuri, Member(A)) Dated: 21.12.1990

This application under section 19 of the Administrative Tribunals Act, 1985 was filed on 21.12.1990. In it the applicant who is a Consy Safaiwala at Kirkee/Aundh is challenging the order dt. 29.11.1990 by which he is removed from service.

2. It is the admitted position that the applicant has a statutory right of appeal which he has not exercised. In view of this position the applicant neither has nor can be deemed to have exhausted all the remedies available to him as required under section 20 of the Administrative Tribunals Act, 1985. In this view of the matter, we have no difficulty in holding that this application is premature.

3. The application is accordingly summarily rejected under section 19(3) of the Administrative Tribunals Act, 1985 with liberty to the applicant to file a fresh application in respect of the same cause of action should he continue to remain aggrieved after he has exhausted the statutory remedies available to him under the relevant service rules.

  
(N.SEN GUPTA)  
MEMBER(J)

  
(P.S.CHAUDHURI)  
MEMBER(A).