

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY 1
CAMP: NAGPUR

OA No. 1354/92

Jagdish Gulabrao Shegaokar
Refrigerator Mechanic (C)
Garrison Engineer
Vayusena Nagar; Nagpur 7

..Applicant

v/s.

Union of India
Ministry of Defence through
the Secretary at New Delhi & 4 ors. ..Respondents

Coram: Hon. Shri Justice M.S. Deshpande, V.C.
Hon. Shri M Y Priolkar, Member (A)

APPEARANCE:

Mr. Y B Phadnis
counsel
for the applicant

Mr. Sundaram R.S.
counsel
for the respondents

ORAL JUDGMENT:
(Per: M.S. Deshpande, Vice Chairman)

DATED: 19.7.93

Heard the counsel.
Delay condoned.

It is apparent that the appellate authority passed an order on 11.4.1985. Instead of appealing against that order, the applicant proceeded before the Labour Court and finding that the Labour Court has no jurisdiction approached this Tribunal. We have condoned the delay in approaching the Tribunal.

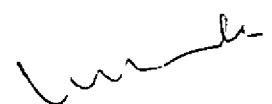
The departmental remedy has not been exhausted under the mistaken plea that the Labour Court and this Tribunal could be approached. All we need to direct in the case is that the applicant should now approach the Chief Engineer, who is the appellate authority within 15 days and if this is done the respondent's counsel states that the question of delay in filing the appeal would not be raised.

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The application is disposed of with liberty to the applicant to approach the appellate authority within 15 days.


(M Y Priolkar)
Member (A)


(M.S. Deshpande)
Vice Chairman

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