

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE - 560 033.

Dated: 3 MAY 1995

APPLICATION NO. 513 of 1995.

APPLICANTS: Sri.D.Mariswamy Gowda,
V/S.

RESPONDENTS: The Regional Provident Fund Commissioner,
Bangalore and two others.

To

1. DB.M.S.Nageraja, Advocate, No.11,
Second Floor, Sujatha Complex,
First Cross, Gandhinagar,
Bangalore-560 009.
2. Sri.M.Vasudeva Rao, Additional Central
Govt. Standing Counsel, High Court Bldg,
Bangalore-560 001.

Subject:- Forwarding copies of the Orders passed by the
Central Administrative Tribunal, Bangalore-38.

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Please find enclosed herewith a copy of the Order/
Stay Order/Interim Order, passed by this Tribunal in the above
mentioned application(s) on 17-04-1995.

Issued on
3/5/95
[Signature]

[Signature]
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH: BANGALORE

ORIGINAL APPLICATION NUMBER 513 OF 1995

MONDAY, THIS THE 17TH DAY OF APRIL, 1995.

Mr. Justice P.K. Shyamsundar,

.. Vice Chairman.

Mr. T.V. Ramanan,

.. Member (A)

D. Mariswamy Gowda,
Aged 42 years,
S/o Sri Doddappaiah,
'Padmapriya Nilaya', 35, Cashier Lay-out,
Thavarekere Post, Thavarekere,
Bangalore-560 081.

.. Applicant.

(By Advocate Dr. M.S. Nagaraja)

v.

1. The Regional Provident Fund Commissioner,
Karnataka Region, Bhavishya Nidhi
Bhavan, No.13, Rajaram Mohan
Roy Road, Bangalore-560 025.
2. The Central Provident Fund Commissioner,
Mayur Bhavan, New Delhi.
3. Union of India,
represented by Secretary to
Government, Ministry of Labour,
Shram Shakti Bhavan, New Delhi.

.. Respondents.

(By Standing Counsel Shri M. Vasudeva Rao)

ORDER

Mr. Justice P.K. Shyamsundar, Vice-Chairman:-

We have heard Dr. M.S. Nagaraja, learned counsel for the applicant and Shri M. Vasudeva Rao, learned Additional Central Government Standing Counsel who raised a preliminary objection pointing out that the applicant who is before us has not preferred an appeal to which remedy he has access under Rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. It is not denied that the applicant has not preferred an appeal against the order of suspension. We have indicated in more than one case that the applicants should exhaust the



remedy of appeal against the order of suspension, preceeding a petition under Section 19 of the Administrative Tribunals Act. In that view of the matter, we direct the applicant to file an appeal before the appropriate authority under Rule 23 of the CCS(CCA) Rules within 10 days from the date of this order. We direct the appropriate authority to consider and dispose of the said appeal within the period stipulated or as soon as possible and preferably within 2 months from the date of receipt of such appeal. Without reference to the limitation, if any, the appeal shall be disposed off.

The application stands disposed off accordingly. No costs.

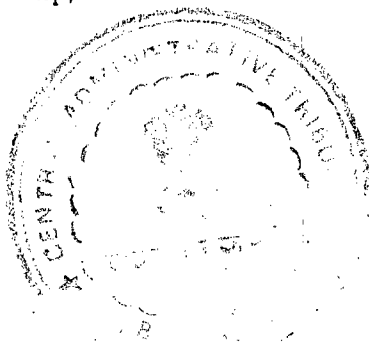
Sd/-

Sd/-

MEMBER(A)

VICE-CHAIRMAN.

np/



TRUE COPY

[Signature]
103/5/95
Secretary Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore