

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 1240/93

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

DATE OF DECISION 28.3.1994

Shri A.N.Kampte

Petitioner

Shri A.S.Shivade

Advocate for the Petitioners

Versus

National Defence Academy & Anr. Respondent

Shri R.K.Shetty

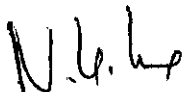
Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri ^{Justice} M.S.Deshpande, Vice Chairman

The Hon'ble Shri N.K.Verma, Member (A)

1. ~~Whether Reporters of local papers may be allowed to see the Judgement ?~~
2. To be referred to the Reporter or not ? no.
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 ? no.


(N.K.Verma)
Member (A)


(M.S.Deshpande)
Vice Chairman

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

3

OA.NO. 1240/93

Shri Ashok Narayan Kampte

... Applicant

V/S:

National Defence Academy & Anr.

... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri N.K.Verma

Appearance

Shri A.S.Shivade
Advocate
for the Applicant

Shri R.K.Shetty
Advocate
for the Respondents

ORAL JUDGEMENT

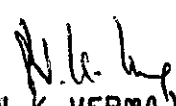
Dated: 28.3.1994

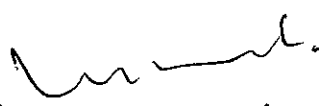
(PER: M.S.Deshpande, Vice Chairman)

The applicant has rushed to the Tribunal against the order dated 14.11.1992 by filing the present application on 11.11.1993 without exhausting the departmental remedies. It appears that the ^{an} appeal lies from the impugned order. Shri Shivade states that if he were to approach before the appellate authority, his appeal will be barred by time.

2. All that we need direct is that the applicant shall file an appeal before the appellate authority and the appellate authority shall not raise the bar of limitation to decide the appeal since the OA. ^{was filed within} is in time.

3. With this liberty to file an appeal before the appellate authority within a period of three weeks, we dispose of the OA.


(N.K.VERMA)
MEMBER (A)


(M.S.DESHPANDE)
VICE CHAIRMAN

mrj.