

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 146 /1997

Date of Decision: 20-6-97

Shri Navin Singh,

Petitioner/s

Shri M. S. Ramamurthy,

Advocate for the
Petitioner/s

V/s.

State Of Maharashtra & Anr.

Respondent/s

Shri V. S. Masurkar,

Advocate for the
Respondent/s

CORAM:

Hon'ble Shri B. S. Hegde, Member (J).

Hon'ble Shri M. R. Kolhatkar, Member (A).

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?


(B. S. HEGDE)
MEMBER (J).

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CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 146/97.

Dated this FRIDAY the 20th day of JUNE, 1997.

CORAM : HON'BLE SHRI B. S. HEGDE, MEMBER (J).

HON'BLE SHRI M. R. KOLHATKAR, MEMBER (A).

Navin Singh IFS
C/o. Dr. Shiv Murat Singh,
Deputy Conservator Of Forests,
Osmanpura,
AURANGABAD.

... Applicant

(By Advocate Shri M.S. Ramamurthy)

VERSUS

1. State of Maharashtra,
through Principal Secretary
(Forests),
Revenue & Forest Deptt.,
Mantralaya,
Mumbai.

... Respondents.

2. Union Of India through
Secretary,
Department of Environment
& Forests, C.G.O. Complex,
Lodhi Road,
New Delhi.

(By Advocate Shri V.S. Masurkar)

: ORDER :

¶ PER.: SHRI B. S. HEGDE, MEMBER (J) ¶

Heard Shri M.S. Ramamurthy for the applicant
and Shri V. S. Masurkar for the respondents.

2. In this O.A., the applicant is not challenging
any impugned order. He apprehends that the respondents
are likely to issue further charge-sheet against the
applicant. In view of the findings given by the Tribunal
vide dated 21.06.1996, which relates to three charges
levelled against the applicant, the enquiry was completed
but no decision has been taken by the competent authority.

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Even if the charge-sheet is issued against the applicant, the applicant is at liberty to send a reply/representation to the competent authority urging that the same cannot be issued at a belated date. The Tribunal cannot entertain applications where the government servant has not exhausted the departmental remedies as stipulated under Section 20 of the Administrative Tribunals Act, 1985, before approaching the Tribunal. In the absence of any impugned order, the application filed by the applicant is not tenable and the same is dismissed at the admission stage itself. There will be no order as to costs.

M. R. Kolhatkar
(M. R. KOLHATKAR)

MEMBER (A).

B. S. Hegde
(B. S. HEGDE)

MEMBER (J).

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