

26

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

CA 905/92.

Dt. of Order:23-10-92.

Mohd. Ayub

....Applicant

Vs.

1. Indian Institute of Chemical Technology (CSIR) rep. by its Director, Tarnaka, Hyderabad.

....Respondent

-- -- --

Counsel for the Applicant : Shri V.Venkata Ramana

Counsel for the Respondent : Shri Chennabasappa Desai

-- -- --

CORAM:

THE HON'BLE SHRI A.B.GORTHY : MEMBER (A)

THE HON'BLE SHRI T.CHANDRASEKHAR REDDY : MEMBER (J)

(Order of the Division Bench delivered by
Hon'ble Sri T.C.Reddy, Member (J)).

-- -- --

This application filed under section 19 of the A.T. Act, 1985, to set aside the order of compulsory retirement of the applicant, which is dt.1-10-92 and further to direct the Respondents to continue the applicant in service with all consequential benefits and pass such other order or orders as may deem fit and proper in the circumstances of the case.

2. We have heard Sri V.Venkataramana, counsel for the applicant and Sri Chennabasappa Desai, counsel for the Respondents. Sri Chennabasappa Desai ~~has~~ brought to our notice that the applicant had approached this Tribunal

T. C. R.

P. 1/2

without exhausting the remedy available under the service rule by preferring an appeal to set aside the impugned order. So in view of this position, Sri V.Venkataramana, counsel for the applicant submits that the applicant would prefer an appeal if this Tribunal ~~so~~ permits the applicant to exhaust the remedies available under the relevant service rules. So in view of the submission made by Sri V.Venkataramana, counsel for the applicant, we are of the opinion that this Original Application can be disposed-of at the admission stage itself with directions. Hence we permit the applicant to make an appeal to the competent authority within 10 days from the date of communication of this order. The competent authority shall receive the appeal representation so made and pass final orders at an early date. The applicant would be at liberty to approach this Tribunal afresh if he is aggrieved by the final orders passed. Accordingly the Original Application is disposed-of at the admission stage itself with no order as to costs.

(A.B.GORTHY)
Member (A)

(T.CHANDRASEKHAR REDDY)
Member (J)

Dated: 23rd October, 1992.
Dictated in Open Court

Dy. Registrar (J)

av1/

Copy to:-

1. Director, Indian Institute of Chemical Technology (CSIR), Tarnaka, Hyd.
2. One copy to Sri. V.Venkataramana, advocate, 62/2RT, Saidabad colony, Hyd.
3. One copy to Sri. C.B.Desai, SC for CSIR, CAT, Hyd.
4. One spare copy.