

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 764 of 1999

Jabalpur, this the 4th day of December, 2003.

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. G. Shanthappa, Judicial Member

L.B. Yadav, Ex-L.D.C./Es 0802
Ordnance Factory Khamaria,
Jabalpur, resident of village
Tighra, Saket Colony, P.O. Sonpur,
Distt. Jabalpur

APPLICANT

(By Advocate - Shri L.P. Yadav)

VERSUS

1. Union of India,
through the Chief Secretary,
Ministry of Defence,
New Delhi.

2. The General Manager,
Ordnance Factory, Khamaria,
Distt. Jabalpur

RESPONDENTS

(By Advocate - Shri S.A. Dharmadhikari)

O R D E R (ORAL)

By G. Shanthappa, Judicial Member -

The above application is filed seeking the relief ^{ex-} quashing the impugned order dated 20.3.99 (Annexure-A-6) for compulsory retirement of the applicant and reinstate in service with all benefits.

2. The applicant removed from service on the ground of charges against him. There was a impugned order imposing the penalty of compulsory retirement from service to the applicant. The applicant has challenged the said impugned order before the appellate authority and he has submitted an appeal dated 10.6.99 (Annexure-A-7). The applicant has produced acknowledgement of the registered postal receipt which shows that the appellate authority has ^{received} ~~receipt~~ the appeal. The appellate authority has not taken the decision, hence he has approached this Tribunal.

3. The respondents have filed their reply contending that

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they have not received any appeal memorandum.

4. Now we are directing the respondents to consider the appeal memorandum which is filed along with this OA. Though, the applicant has produced the acknowledgement of the registered postal receipt which ^{does not} ^{it was} show whether the appeal memorandum or some other letter?

5. The respondents have to consider the appeal memorandum dated 10.6.99 (Annexure-A-7) and decide the appeal in accordance with the rule within a period of 3 months from the date of receipt of copy of this order. The OA is disposed of with the above direction. No costs.

(G. Shanthappa)
Judicial Member

(M.P. Singh)
Vice Chairman

SKM

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Shri L.P. Yadav Adv. JBP.

Shri S.A. Dharmadhikari
Adv. JBP.

18/12/03

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on
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