

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

OA No. 302/2005.

Jaipur, this the 11th day of July, 2005.

CORAM : Hon'ble Mr. M. L. Chauhan, Judicial Member.

Dashrath Singh,
S/o Shri Sunder Singh,
Aged about 58 years,
R/o Plot No.70, Sector No.7,
Keshavpura, Kota.

... Applicant.

By Advocate : Shri Rajveer Sharma.

Vs.

1. Union of India through
Comptroller Accountant General,
10, Bahadur Shah Zafar Marg,
New Delhi 110 016.
2. Principal,
Accountant General,
Bhagwan Das Road,
Jaipur.
3. Resident Concurrent Audit Officer,
C.A.D. Chambal,
Kota.

... Respondents.

: O R D E R (ORAL) :

The applicant has filed this OA against the impugned order dated 17.6.05 whereby the applicant has been placed under suspension and his Headquarter has been fixed at Bikaner. Learned Counsel for the applicant submits that presently the applicant has been posted at Kota, as such, it was not equitable and justified for the respondents to fix his Headquarter at Bikaner during the period of suspension.

2. I have heard Learned Counsel for the applicant. I am of the view that the present OA is not maintainable as the applicant has got effective and alternative remedy by way of appeal as the order of suspension is ~~appealable~~ under Section 23(i) of CCS (CCA) Rules 1965. Accordingly, the applicant is directed to file appeal to the competent authority within a period of seven days from today. In case such appeal is filed within the aforesaid period, the Competent Authority shall entertain the same and decide the same in accordance with law. So far as the grievance of the applicant that till his appeal is not decided by the Competent Authority, he should be allowed to mark his presence at Kota instead of Bikaner is concerned, I am of the view that the applicant is entitled to that limited relief till the disposal of the appeal by the Competent Authority.

3. Accordingly, the present OA is disposed of with the direction to the Appellate Authority to decide the appeal of the applicant in terms of the aforesaid order and till the appeal is decided, the applicant may be allowed to mark his presence at Kota instead of Bikaner.


(M. L. CHAUHAN)
JUDICIAL MEMBER

p.C./