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O.A. NO. 060/00758/2014

Jaspal Singh Vs. Department Promotion Committee and & Others

24.09.2014

Present: Mr. Ashutosh Gupta, counsel for the applicant

1. Admittedly, the applicant has approached this Tribunal without awaiting the outcome of legal notice dated 01.08.2014(Annexure P-5) served upon by the applicant.
2. Section 20 of the Administrative Tribunal Act, 1985 mandates that in case representation/legal notice filed by an employee is not decided, he can approach the Tribunal after six months of filing of such representation/legal notice. However, in the present case, the applicant has served legal notice only on 01.08.2014 and filed the present case on 02.09.2014 just after one month of filing of representation without awaiting its outcome.
3. In view of the above, we are not inclined to entertain the O.A. at this stage and the same is dismissed being pre-mature. The applicant reserves liberty to approach the Court of Law at appropriate time, if need so arises.
4. No costs.

  
(UDAY KUMAR VARMA)  
MEMBER (A)

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(SANJEEV KAUSHIK)  
MEMBER (J)