

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI, 5

ORIGINAL APPLICATION NO. 10594 / MISC APPL NO. (IN OA.  
REV. APPLICATION NO. (IN O.A. NO.) CONT APPL. (O.A.)

Smt. H. Dangiari APPLICANT(S)  
VERSUS  
NOT XOS RESPONDENT(S)  
Mr. A. Dasgupta APPLICANT(S) ADVOCATE  
Mr. G. Sarma, A.D. RESPONDENT(S) ADVOCATE  
C.G.S.C

OFFICE NOTE

DATE

COURT'S ORDER

30.5.94 Heard learned counsel Mr A. Dasgupta on behalf of the applicant, Smt H. Dangiari. Perused the statement of grievances and reliefs sought for in this application. Learned Addl. C.G.S.C. Mr G. Sarma prays for fifteen days time to get instructions from the respondents. Time allowed as prayed for.

List on 17.6.94 for consideration of admission and further orders.

Heard counsel for the parties on the interim relief prayer. The operation of the order No.304/142/Civ dated 3.5.1994 (Annexure-D) issued by Shri V.K. Puri, Lt. Col. for Offg CO, 180 Sainik Aspatal, 180 Military Hospital, C/O 99 APO, with directions on the applicant to vacate Quarter No.12/3 is stayed till disposal of consideration of admission.

Inform all concerned.

*Signature*  
Vice-Chairman

*60*  
Member

By Order:

*Mr. B. S. S. 305/94*

NKM

Order d. 30.5.94 (823)  
telegraphically to concerned parties.  
V. No. 2358-64 D. 3-6-83

OFFICE NOTE

DATE

COURT'S ORDER

operative portion of the  
order dttd. 30.5.94  
Sent to the Repdt.  
No 2 and copy of  
the same sent to  
Repdt. Nos. 3 & 4  
Vide No. 2268-2270  
dttd. 31.5.94

17.6.94 Heard learned counsel Mr A.  
Dasgupta on behalf of the applicant.  
Perused the statement of grievances and  
reliefs sought for in this application.  
The grievance is against the penalty of  
dismissal consequent to a disciplinary  
proceeding. Learned Addl. C.G.S.C. Mr G.  
Sarma submits that the applicant has not  
exhausted available remedy by appeal  
before the competent authority. We are  
convinced that the appeal lies against  
the penalty order. Therefore, we do not  
propose to entertain this application at  
this stage. The interim relief order  
passed on 30.5.1994 is also vacated.

The applicant may file appeal before  
the appellate authority within 30(thirty)  
days from today, the 17.6.1994. In the  
event of filing such appeal, the  
competent authority shall treat such  
appeal to be within limitation and disposal  
of the same in accordance with rules.

Mr Dasgupta prays for a direction  
on the respondents not to evict the  
applicant during the appeal period/  
pendency of appeal. We leave it with the  
appellate authority to consider this  
prayer and pass necessary orders after  
hearing her.

  
Vice-Chairman  
Member

Copy of the order may be  
furnished to the counsel for  
the parties.

By Order:

  
N.K.M.

Order d. 17.6.94 issued  
v.no. 2689-90 dt. 29/6/94

for  
22/6