

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI...5

ORIGINAL APPLICATION NO. 178/94

MISC PETITION NO. (IN O.A.)

REVIEW APPLI. NO. (IN O.A.)

CONT. PETITION NO. (IN O.A.)

Ch. Y. Singh.....APPLICANT(S)

Vrs.

.....RESPONDENT(S)

Mr. G. B. Singh.....ADVOCATE T(S)
Sharma FOR APPL.

Mr. S. Ali.....

Sr. C. G. S. C.....ADVOCATE(S)
FOR RESPDTS.

OFFICE NOTE

DATE

COURT'S ORDER

This application is in
form and within time.

C. F. of Rs. 50/-

deposited vide

IPO/BL No. 827988

Dated 3-9-94

By Registrar (dt)

Bon.
EB

7.9.94

Mr G.B.Sharma for the applicant. Mr S.
Ali, Sr.C.G.S.C for the respondents.

Since the order of removal of the
applicant from service became effective on
31.12.93 there cannot arise any question of
staying that order. If that order is eventua-
lly set aside either by the appellate authori-
or by this Tribunal the question of reinsta-
ment will have to be considered at that stage
We cannot direct reinstatement at this admi-
ssion stage and such a relief can only be
considered if the petition is eventually
allowed. Since we are not inclined to grant
interim stay and as the applicant has already
filed an appeal before the appellate authorit
on 15.2.94 which is pending, we think that no
useful purpose will be served by admitting
this application at this stage. We do not
express any opinion as to the merits of the
case. We would however be inclined to expedite
hearing of the appeal without prejudice to
the right of the applicant to again approach
the Tribunal if necessary.

Mr S.Ali appears for the respondents
and receives notice and submits that the
application may be disposed of in terms of

contd....

7.9.94 the above directions. Learned counsel for the applicant states that the application may be disposed of in terms of the proposed directions without prejudice to the right of the applicant to approach the Tribunal again.

Hence the application is taken up for orders.

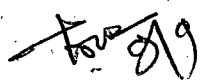
Order :

We direct the appellate authority to dispose of the appeal expeditiously and as far as practicable within a period of three months from the date of receipt of this order. We grant liberty to the applicant to approach this Tribunal after the appeal is disposed of if he happens to be aggrieved by the decision on appeal. All the rights and contentions of the applicant raised in this application for challenging the impugned order are left open to be urged therein. We make it clear that it will be open to the appellate authority to consider the prayer for interim relief and pass suitable orders thereon.

Application disposed of in terms of above order.


Vice-Chairman


Member



27.10.94
copy of order dtd.
7.9.94 issued to
all concerned by
Regd. Post vide of No.
4275-77 dtd. 31.10.94

