

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**O.A. No. 1692/2016**

New Delhi this the 13<sup>th</sup> day of May, 2016

**Hon'ble Mr. Justice M. S. Sullar, Member (J)**  
**Hon'ble Mr. V. N. Gaur, Member (A)**

Shri Amit Kumar Gupta (aged about 33 years)  
Previously working as Teacher (Primary)  
S/o. Late Sh. Dharam Pal Gupta  
Previously employed as  
R/o. H. No. 150, V.P.O. Ujwa,  
Najafgarh, New Delhi.

...Applicant

(By Advocate : Ms. Neha Garg for Mr. Nitin Garg)

Versus

South Delhi Municipal Corporation,  
Through its Commissioner,  
9<sup>th</sup> Floor, E-Block, Civic Center,  
J. L.N. Marg, Minto Road,  
New Delhi-110 002.

....Respondent

O R D E R (O R A L)

**Justice M. S. Sullar, Member (J)**

Heard.

2. As is evident from the record that the applicant has filed statutory appeal (Annexure-I) only on 25.04.2016. Instead of awaiting the decision of the appeal for a reasonable time, the applicant has straightaway jumped to file the instant O.A. Therefore, unless and until statutory appeal (Annexure - I) is decided by the appellate authority, the instant O.A cannot legally be entertained at this stage by this Tribunal, in view of the bar contained under Section 20 of the Administrative Tribunals Act, 1985. Therefore, the O.A is hereby dismissed at this stage.

3. Needless to mention, in case the applicant remains aggrieved by the order of the appellate authority, he would be at liberty to file a

fresh O.A to challenge the impugned order of disciplinary authority as well as order to be passed by the appellate authority in his appeal Annexure – I), in accordance with law.

(V. N. Gaur)  
Member (A)

(Justice M. S. Sullar)  
Member (J)

/Maya/