

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00190/2017

Jabalpur, this Wednesday, the 20th day of December, 2017

**HON'BLE MR. NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER**

Sukhram Singh Netam,
S/o Late Shri Sunadhar Singh Netam,
Occupation – Phone Mechanic, OSD to CGMT Bhopal,
R/o Qr No.II/14, P&T Colony, Bhadbhada Road,
Bhopal (MP) 462001, Mobile No.9406908927 **-Applicant**

(By Advocate – Shri Anil Kumar Namdev)

V e r s u s

1. Dy. General Manager,
Through the Office of General Manager,
Telecom Department, BSNL Bhopal (MP, Pin Code – 462003).

2. The Divisional Manager (Admin)
BSNL office of General Manager,
Telecom Department, CTO Building, Bhopal – Pin Code 462003.

3. D.E. (Commercial) Office of General Manager,
Telecom Department, CTO Building,
Bhopal – MP 462003 - Respondents

(By Advocate – Shri Sapan Usrethe, proxy counsel of Shri A.P. Shrivastava)

ORDER(ORAL)

By Navin Tandon, AM.

The applicant is challenging the impugned order of Annexure A-8 dated 24/31.05.2016 by which he has been imposed

minor penalty of reduction to a lower stage in the time scale of Pay for a period not exceeding one year without cumulative effect.

2. The respondents have raised the question of maintainability of this Original Application. In para 3 of the preliminary objection, it has been submitted that as per Rule 45 of BSNL CDA Rules, 2006, the applicant can file appeal against the penalty imposed. However, no appeal has been filed by him.

3. Learned counsel for the applicant submitted that this is a peculiar case and, therefore, he has come to the Tribunal for seeking justice. However, we feel that remedy available to the applicant should be exhausted first before approaching this Tribunal.

4. Accordingly, we dispose of this Original Application at this stage by permitting the applicant to submit his appeal against the impugned order of penalty dated 24/31.05.2016 (Annexure A-8), as prescribed under the rules, within a period of 15 days from the date of receipt of a copy of this order. On such appeal being filed, the Appellate Authority of the respondents shall consider the appeal, without taking objection of delay in filing the appeal and decide it on merits, within a period of 60 days from the date of receipt of the appeal. No costs.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

am/-