

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK,**

**ORDER SHEET**

COURT NO. : 1

26.03.2019

O.A./260/761/2012

M.A./260/68/2019

SUNAKAR SAMAL

-V/S-

D/O POST

ITEM NO:56

FOR APPLICANTS(S) Adv. : Mr. N.R.Routray

FOR RESPONDENTS(S) Adv.: Mr. J. K. Nayak

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for applicant and the respondents.</p> <p>The Original Application has been filed for challenging the disciplinary proceeding and put off duty. But subsequently disciplinary authority passed the order of punishment of removal from service vide order dated 23.07.2014.</p> <p>Ld. Counsel for the applicant has filed MA No. 68/19 for amending the OA to challenge this order dated 23.07.2014. No delay condonation petition has been filed against the punishment order dated 23.07.2014. It is seen that alternative remedy has not been exhausted for which the amendment cannot be accepted at this stage. In view of this MA No. 68/19 is not allowed.</p> <p>As prayed for by the Ld. Counsel for the applicant, both the OA and MA are disposed of with liberty to the applicant to approach the appellate authority if he so wishes, within one month from the date of receipt of a copy of this order for challenging the order dated 23.07.2014 along with the delay condonation application since filing of the appeal has been delayed as pointed out by the Ld. Counsel for the respondents.</p> <p>If such appeal with delay condonation application as stated above, is filed within time as stated above, then it will be duly considered by the respondents as per law by</p>

taking into fact that the punishment order of removal of service was imposed on the applicant. OA and MA are disposed of with above directions. No costs. Copy to the learned counsels for both the parties.

( SWARUP KUMAR MISHRA)  
MEMBER (J)

( GOKUL CHANDRA PATI)  
MEMBER (A)

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