

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the **05<sup>th</sup>** day of **August**, 2019

Present :

**Hon'ble Ms. Ajanta Dayalan, Member-A**  
**Hon'ble Mr. Rakesh Sagar Jain, Member-J**

Original Application No.330/00707/2019

Sweta Srivastava, 36 years, W/o Sri Krishna Ji Srivastava, D/o Sri Bhola Nath Srivastava, R/o Type 3 Room No.6, F.F.D.C Campus, Industrial Area, G.T. Road, Makrand Nagar, District - Kannauj.

.....Applicant.

By Advocate -Shri Vibhu Rai

**V E R S U S**

1. Union of India through (Secretary), Micro, Small and Medium Enterprises, New Delhi.
2. Chairman/Principal Secretary Micro, Small and Medium Enterprises, Government of India, New Delhi.
3. Principal Director (Incharge)/Director Fragrance and Flavor Development Centre, Kannauj.
4. Deputy Director Fragrance and Flavor Development Centre, Kannauj.
5. Shakti Vinay Shukla Director F.F.D.C. holding the charge of Principal Director F.F.D.C. at Kannauj -209726, U.P.

..... Respondents.

By Advocate : Shri D.S. Shukla

**O R D E R**

**By Hon'ble Ms. Ajanta Dayalan, Member-A :**

Heard Shri Vibhu Rai, counsel for the applicant and Shri D.S. Shukla, counsel for the respondents.

2. Learned counsel for the applicant states that services of the applicant have been terminated vide order dated 07.05.2019 (Annexure-A-1). This OA is for quashing of this order passed by the

Disciplinary Authority and for directions to pay the applicant regular salary and other benefits admissible to her.

3. Learned counsel for the respondents states that alternative remedy is available to the applicant by making appeal to the Appellate Authority against the impugned order dated 07.05.2019 (Annexure-A-1) passed by the Disciplinary Authority. Learned counsel for the respondents also states that the applicant has also sent an E. mail dated 29.05.2019 to the Appellate Authority against this order. He also states that Appellate Authority has treated this E.mail as appeal. Communication dated 26.06.2019 is shown to us during the hearing and may be taken on record.

4. Learned counsel for the applicant had earlier sought time for seeking instructions from his client in this regard. Today, learned counsel for the applicant confirms that the applicant has sent E. mail to the Appellate Authority.

5. We observe that the applicant has not exhausted the alternative remedy for appeal against the impugned order dated 07.05.2019 (Annexure-A-1) as provided under Service Rule applicable to the applicant. The OA is therefore not maintainable under Section 20 of Administrative Tribunals Act 1985. The applicant is therefore, directed first exhaust the alternative remedy before approaching this Tribunal. Accordingly, the OA is disposed off. No costs.

Member-J

Member-A

RKM/