

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

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No. O.A. 350/00616/2016

Date of order: 2.5.2016

Present : Hon'ble Justice Shri Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

VED PRAKASH VERMA

VS.

UNION OF INDIA & ORS. (BSNL)

For the Applicant : Mr. S.K. Dutta, Counsel

For the Respondents : Mr. S.K. Ghosh, Counsel

ORDER (Oral)

Justice Shri Vishnu Chandra Gupta, Judicial Member:

Ld. Counsel for the parties are present.

2. This petition has been filed challenging the departmental proceedings and the order of punishment. The statutory appeal has been filed by the applicant but before its disposal this application has been filed in this Tribunal.

3. In view of Section 20 of the AT Act, 1985 an Original Application under Section 20 shall be filed after exhausting remedies available departmentally. However, under sub-clause (2) it has been mentioned that if a statutory appeal has been filed and the appeal has not been disposed of and no final order has been passed either by the appellate authority or by the Government within six months from the date of appeal or when the representation was made the application may be filed U/S 19 of the AT Act.

4. In view of the above, we are of the opinion that the O.A. is premature. However, liberty is granted to the applicant to file the same after exhausting departmental remedy as required under Section 20. The appellate authority if yet



not disposed of the appeal shall dispose of the same in accordance with law within a period of three months from the date of production of certified copy of this order.

5. With this observation, the petition is disposed of. The O.A. is, accordingly, disposed of. There shall be no order as to costs.

(Jaya Das Gupta)
MEMBER(A)

(Vishnu Chandra Gupta)
MEMBER(J)

SP