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Central Administrative Tribunal, Principal Bench

Original Application No.444 of 2003

New Delhi, this the 27th day of February, 2003

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. Govindan S. Tampi, Member(A)

Sri Prakash
S/o Shri Chaturi Prasad,
R/o House No.1069,
Subzi Mandi, Vijay Nagar,
Mawai Road, Ghaziabad

.... Applicant

(By Advocate: Shri G.D. Bhandari)

Versus

Union of India, through

1. The General Manager,
Northern Railway,
Baroda House, New Delhi
2. The Chief Works Manager,
Signal Workship Northern Railway,
Ghaziabad

.... Respondents

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

By virtue of the present application, the applicant seeks setting aside of the order of 26.2.2002 whereby he has compulsorily been retired and seeks a direction that he should be deemed to have continued in service in this regard besides seeking consequential reliefs.

2. The facts mentioned by the applicant clearly indicate that he has preferred an appeal against the said order to the Chief Engineer-II, Headquarters New Delhi. He had been informed that his appeal was under consideration vide a communication of 9.4.2002. Thereupon, on 11.11.2002, the applicant was told that his appeal lies to Chief Signal Engineer-II, Northern Railway Headquarters,

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Baroda House, New Delhi.

3. Admittedly the applicant, in pursuance of the communication of 11.11.2002, has preferred an appeal to the Chief Signal Engineer-II, Northern Railway Headquarters, Baroda House, New Delhi. The same is pending consideration.

4. At this stage, therefore, when the appeal is pending, we deem it unnecessary to invoke the powers of this Tribunal but dispose of the original application with a direction that the appellate authority should consider the appeal and pass an appropriate order preferably within four months from the date of receipt of a certified copy of the present order and communicate it to the applicant.

With these directions, the O.A. is disposed of.

(Govindan S. Tampli)
Member (A)

(V.S. Aggarwal)
Chairman.

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