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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2136/2003

this the 5th day of May, 2004

Hon'ble Shri Kuldip Singh, Member (J)
Hon'ble Shri S. A. Singh, Member (A)

Dr. Ashutosh Sharma,
S/o Shri R.C. Sharma,
12-A, Sector-B, Govind Nagar,
Mathura (UP)-281 004.

...Applicant.

(By Advocate: Shri D.N. Sharma)

Vs.

1. Union of India,
(through the Secretary to the Govt. of India)
Ministry of Human Resources Development,
Department of Secondary & High Education,
Navodaya Vidyalaya Samiti) Indira Gandhi
Stadium, I.P. Estate, New Delhi-110 002.
2. The Chairman,
Navodaya Vidyalaya Samiti, Admn. Block,
Indira Gandhi Stadium, I.P. Estate,
New Delhi-110 002.
3. The Commissioner,
Navodaya Vidyalaya Samiti, Admn. Block,
Indira Gandhi Stadium, Indraprastha Estate,
New Delhi-110 002.

... Respondents.

(By Advocate: Shri S. Rajappa)

O R D E R (ORAL)

By Shri Kuldip Singh

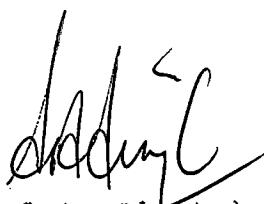
In this OA, the applicant has assailed the order dated 6.6.2003 (Annexure A-2) vide which the appeal of the applicant against the order of removal on the ground of moral turpitude had been rejected and communicated to the applicant. The applicant has stated that the appeal has not been decided by the competent authority since the order, which has been conveyed, illustrates as if signed by the Private Secretary (PS) to the Hon'ble Chairman.

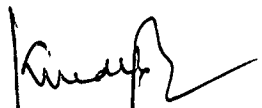
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(2)

2. Learned counsel for the respondents had also produced the record and shown us the noting recorded by the PS to the Hon'ble Chairman and submitted that this may be remanded back since the note does not disclose whether the Chairman applied his mind or not. Considering the same, we allow the OA partly and remand back the case to the appellate authority, i.e., Hon'ble Chairman, Navodaya Vidyalaya Samiti with a direction to decide the appeal of the applicant by passing a reasoned and speaking order thereon within a period of two months from the date of receipt of a copy of this order. If any grievance survives thereafter, the applicant is at liberty to file fresh OA.

3. The OA is disposed of.


(S.A. Singh)
Member (A)


(Kuldip Singh)
Member(J)

/kdr/