

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI



O.A.NO.3275/2002

Wednesday, this the 18th day of December, 2002

Hon'ble Shri Justice V.S.Aggarwal, Chairman  
Hon'ble Shri S.A.T. Rizvi, Member (A)

D.C.Mishra, JTO MTNL  
r/o FCA-1400, SGM Nagar  
22, Main Market Road  
(Near Waqil Ki Kothi)  
Badkhal  
NIT Faridabad (HR)

..Applicant

(None)

Versus

1. The Union of India through Secretary  
Ministry of Communications  
(Department of Telecommunications)  
20, Sanchar Bhawan, Ashoka Road  
New Delhi-1
2. The Adviser (HRD)  
Department of Telecom  
20, Sanchar Bhawan, Ashoka Road  
New Delhi-1

...Respondents

O R D E R (ORAL)

Shri Justice V.S.Aggarwal:

By virtue of the present application, the applicant seeks quashing of the suspension order of 29.6.2001 with direction to reinstate him forthwith.

2. Some of the relevant facts which prompt the filing of the present application are that the applicant was suspended on 26.4.2001. A departmental inquiry had been initiated against the applicant. On 25.4.2001, the Central Bureau of Investigation had registered a First Information Report against the applicant. He was taken in custody and placed under deemed suspension on 29.6.2001. Admittedly, the matter is pending trial before the court of competent jurisdiction.



(2)

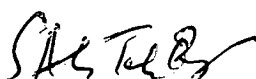


3. The challan has since been filed only on 17.9.2002. The applicant seeks that he should be reinstated and order suspending him should be quashed.

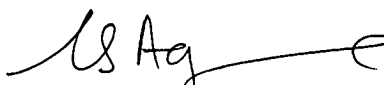
4. In the application, the applicant has mentioned about the subsistence allowance having been enhanced.

5. Whenever a person is suspended, there is a periodical review of the said order in accordance with the standing instructions. Once the applicant had been suspended and the matter is pending before the court of law, it is directed that respondent No.2, who happens to be the disciplinary authority, will review the case of the applicant in accordance with law and rules and pass an appropriate speaking order in this regard, which should be conveyed to the applicant.

6. With these directions, OA is disposed of.

  
(S.A.T. Rizvi)  
Member (A)

/sunil/

  
(V.S. Aggarwal)  
Chairman