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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1561/2002

Thursday, this the 6th day of ~~July~~, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

R.C. Khurana D/Man, Grade-II (Civil)
s/o Late Shri D.D.Khurana Aged 50 Yrs.
R/O B-1/216, Lajpat Nagar
New Delhi

..Applicant

(By Advocate: Shri S.P.Chadha)

Versus

Union of India through

1. Secretary, Ministry of Communication
Govt. of India,
Sanchar Bhawan
New Delhi
2. The Chief Engineer
(P&D), Civil-II
Deptt.of Telecom./BSNL
Kidwai Bhawan, Janpath, New Delhi-50
3. The Supdt. Surveyor of Works, Civil-II
Deptt. Telecom/BSNL
6th Floor, Mohar Singh Place
New Delhi
4. The Deputy Secretary
to the Govt. of India
Ministry of Communication
Sanchar Bhawan, New Delhi

..Respondents

O R D E R (ORAL)

Shri S.A.T. Rizvi:

Applicant, who joined as Draftsman Grade-II in 1973, proceeded on leave of ten days in connection with his own marriage on 10.12.1984. From that point onward right upto 21.5.1999, the applicant was unable to attend his duties, as he suffered from depression, etc. The respondents have, however, refused to take him back on duty after 21.5.1999. Instead they have served a departmental charge-sheet on him on 19.3.2001. The proceedings are yet to be finalized.

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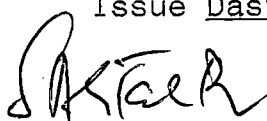
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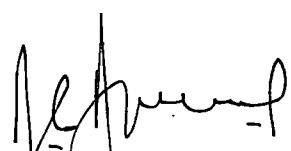
2. The learned counsel appearing on behalf of the applicant submits that in terms of the Govt. of India's instructions dated 5.10.1975 (A-1), the respondents are bound to take him back on duty and in alternative to place him under suspension. By not doing so, they have flouted the aforesaid instructions. The applicant accordingly prays for a direction to the respondents to take him back on duty and a further direction to them to finalize the departmental proceedings expeditiously. Aggrieved by the aforesaid actions, the applicant has filed a series of representations, the last of which was filed on 5.4.2002.

3. Having regard to the submissions made by the learned counsel and the aforestated facts and circumstances, we find that the interest of justice will be duly met by disposing of the present OA at this very stage even without issuing notices with a direction to the respondents to consider the aforesaid representations *and to pass a speaking order thereon* within a maximum period of three months from the date of receipt of a copy of this order. We direct accordingly.

4. The present OA is disposed of in the aforestated terms.

Issue Dasti.


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


(Ashok Agarwal)
Chairman

/sunil/