

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-1237/2001

New Delhi this the 16th day of May, 2001.

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)
Hon'ble Dr. A. Vedavalli, Member(J)

Sh. Prahalad Prasad,
S/o Sh. Magru Prasad,
R/o F-227, Lado Sarai,
New Delhi-30.

.... Applicant

(through Sh. Yogesh Sharma, Advocate)

Versus

1. Union of India through the Secretary,
Ministry of Communication,
Deptt. of Telecommunication,
Sanchar Bhawan, New Delhi.
 2. The Chief General Manager,
Deptt. of Telecommunication,
Khurshid Lal Bhawan, New Delhi.
 3. The Sub-Divisional Engineer,
Cable-II, Telephone Exchange,
Haus Khas, New Delhi.
- Respondents

ORDER (ORAL)

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)

Applicant impugns order dated 16.03.98 (Annexure A/1) placing him under suspension, in view of a criminal case stated to have been instituted against him, in which he was placed under arrest for more than 48 hours.

2. Heard the learned counsel for applicant who informs us that applicant, who is a Central Government servant, and was at the relevant time deputed to MTNL has been suspended by them, without conducting any review ^{thereafter} on the need ^{to} ~~for~~ continuation ^{to} ~~of~~ keeping him

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under suspension
~~thereafter~~. In this connection, our attention has been invited to Govt. of India's instructions contained in Swamy's Compilation on suspension and reinstatement, requiring that the continuance of a Government servant on suspension should be periodically reviewed to ascertain whether such continuance² of suspension is justified or not.

3. If the submissions made by Sh. Sharma are correct, we dispose of this OA at this preliminary stage with a direction to respondents to review applicant's suspension, in accordance with rules and instructions by a detailed, speaking and reasoned order, under intimation to applicant within three months from the date of receipt of a copy of this order.

4. If any grievance still survives, it will be open to applicant to agitate the same through appropriate original proceedings, in accordance with law, if so advised.

5. Let a copy of the OA be enclosed along with this order.

A. Vedavalli
(Dr. A. Vedavalli)
Member(J)

S.R. Adige
(S.R. Adige)
Vice-Chairman(A)