

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

A (1)

O.A.No.1847/2001

Hon'ble Shri Govindan S. Tampi, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

New Delhi, this the 26th day of July, 2001

Shri K.K.Gupta
s/o Shri A.N.Gupta
C-81, Pallav Puram
Phase - 1
Meerut.

... Applicant

(By Advocate: Shri G.Lal)

Vs.

1. Union of India through
The Secretary
Ministry of Urban Affairs
Nirman Bhawan
New Delhi.

2. The Director General (Works)
CPWD, Nirman Bhawan
New Delhi.

... Respondents

O R D E R (Oral)

By Mr. Shanker Raju, Member (J):

Heard the learned counsel for the applicant.

2. The grievance of the applicant in the present case is that he has been placed under suspension vide order dated 24.4.2001 on the ground that the offence has been under trial.

3. We find from the record that FIR No.RC-DA1-1998-A-0023 dated 25.3.1998 under section 120-B/420/468/471 IPC and read with section 13 of the Prevention of Corruption Act, 1988 as well as Section 9-B of Explosive Act, 19884 has been filed against the Contractor as well as the applicant who is an Assistant Engineer in Central Public Works Department. The grievance of the applicant is that action of the

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respondents is malafide and the investigation in the criminal case is completed and there is no apprehension of tampering the evidence or witnesses.

4. We also find that a statutory appeal under Section 23 of the CCS (CCA) Rules has been preferred by the applicant against the order of suspension on 9.5.2001 which is yet to be replied by the respondents.

5. Having regard to the claim made above, we dispose of this OA, at the admission stage, by directing the respondents to dispose of the appeal of the applicant by passing a reasoned, speaking and detailed order within a period of thirty days from the date of receipt of a copy of this order. Thereafter, in case the applicant aggrieved by the order passed by the respondents, he shall have liberty to approach this Tribunal by filing an application in accordance with law.

S. Raju

(SHANKER RAJU)
MEMBER(J)

Govindan S. Tampi

(GOVINDAN S. TAMPI)
MEMBER(A)

/rao/