

Central Administrative Tribunal, Principal Bench

Original Application No.2269 of 2001

New Delhi, this the 11th day of March, 2002

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

Shri D.C. Sankhla, IAS  
Son of late Shri M.R. Sankhla,  
R/o 5A Court Road  
Delhi-110054.

- Applicant

(By Advocate: Shri M.K. Gupta)

Versus

1. Union of India  
through its Secretary  
Ministry of Home Affairs  
North Block, New Delhi-1

2. Govt. of National Capital Territory of Delhi  
through its Chief Secretary,  
5, Sham Nath Marg,  
Delhi-54

- Respondents

(By Advocate: Shri Rajinder Nischal, for Respondent 1)

O R D E R (ORAL)

By Justice Ashok Agarwal, Chairman

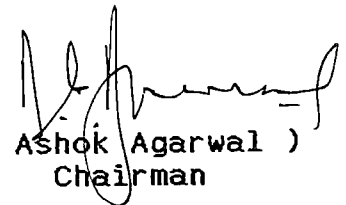
By the present OA, applicant seeks to impugn order of 25.12.96 at Annexure A-1 placing him under suspension. Aforesaid order of suspension has been issued in the name of the Joint Cadre Authority of AGMUT Cadre of IAS. Aforesaid order of suspension has been reviewed from time to time by orders passed on 15.4.99, 2.12.99 and 2.1.2000 at Annexure A-2 collectively. The same have also been passed in the name of Joint Cadre Authority of AGMUT Cadre of IAS. In the case of Shri G.P. Sewalia vs. Union of India & anr. (O.A.No.2430/2000) decided on 13.3.2001, it has been held that the aforesaid authority namely the Joint Cadre Authority of AGMUT Cadre of IAS is not competent to pass an order of suspension. Aforesaid order of suspension is, therefore, without the authority of law.

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2. Under these circumstances, present OA succeeds. The order of suspension of 25.12.96 at Annexure A-1 and the orders of review thereof of 15.4.99, 2.12.99 and 2.1.2000 at Annexure A-2 collectively are quashed and set aside and applicant is directed to be reinstated back in service. Respondents will comply with this order expeditiously and within a period of eight weeks from the date of service of a copy of this order. No order as to costs.



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

  
( Ashok Agarwal )  
Chairman

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