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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 3241/2001

New Delhi this the 5th day of December, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

Inder Mohan Wadhawan
S/o Late Sh.Gurbakesh Lal Wadhawan
R/o 881, Gulabi Bagh
Delhi-7.

... Applicant

(By Shri N.S.Bhatnagar, Advocate)

-versus-

1. Union of India through
the Principal Secretary/
Divisional Commissioner, HQ, 1st Floor
Tis Hazari, Delhi.
2. Sh. S.M. Vats PMO (Payment Making Officer)
Cum-Tehsildar, Office of the SDM
Punjabi Bagh, Nangloi, Delhi.
3. SHO PS Nangloi, Delhi. ... Respondents

O R D E R (ORAL)

Shri S.A.T.Rizvi, M(A):-

In view of a case in respect of a criminal offence pending against the applicant Head Clerk, he was placed under suspension by an order dated 15.9.2000 at Annexure 'B' passed by the Principal Secretary/Divisional _____ Commissioner/Disciplinary Authority. He remains suspended to date. Meanwhile the quantum of subsistence allowance admissible to him has been enhanced on 20.4.2001 at Annexure 'E' after recording a finding to the effect that the period of applicant's suspension has been prolonged for reasons not attributable to him. After he was placed under suspension, the applicant had made several

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representations seeking a review of the order of suspension. He has filed a representation before the Chief Secretary to the Government of NCT of Delhi also on 25.6.2001 through proper channel. The same does not appear to have been forwarded to the Chief Secretary.

2. The learned counsel appearing on behalf of the applicant submits that relevant rules provide for a periodical review of suspension orders and placing of the circumstances and facts relating to such cases before the next higher authority. The aforesaid exercise, according to the applicant, does not seem to have been undertaken by the respondents with the result that the applicant remains suspended without any justification.

3. Having regard to the submissions made and the aforesaid rule position, we find that the ends of justice will be duly met by disposing of the present OA at this very stage even without issue of notices with a direction to the respondent No.1 to review the order of suspension in accordance with the relevant rules and pass a speaking and reasoned order expeditiously and in any event within a period of two months from the date of receipt of a copy of this order. At the time of consideration of the matter, the respondent No.1 will have ^{regard} to the contents of the present OA. We order accordingly.

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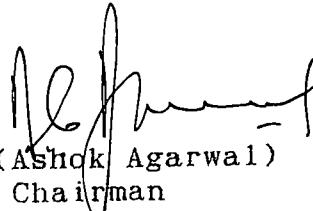
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4. Present OA is disposed of in the aforesated
terms.


(S.A.T. Rizvi)

Member (A)


(Ashok Agarwal)
Chairman

(SNS)