

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

OA No. 1898/99

New Delhi: this the 7th day of September, 2000.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A)

HON'BLE MR. KULDIP SINGH, MEMBER (J)

Shri V. P. Yadav,
F & S. Officer,
Govt. of NCT of Delhi.

Delhi Applicant

(By Advocate: Shri R. N. Saxena)

Versus

1. Union of India
through

Chief Secretary,
Govt. of NCT
of Delhi.

5, Sham Nath Marg,
Delhi.

2. The Director (Vigilance),
Office of the Directorate of Vigilance,
Govt. of NCT,
Delhi,
Old Secretariat,
Delhi.

3. The Deputy Commissioner (Delhi),

Govt. of NCT of Delhi,
Tis Hazari Court's Building,
Tis Hazari,
Delhi - 54.

..... Respondents.

(By Advocate: Shri Ajesh Luthra).

ORDER

Mr. S. R. Adige, VC (A):

Applicant impugns Annexure-C order dated 26.12.95. He seeks subsistence allowance for the duration of his suspension period as per rules, and prays that the entire suspension period be treated as on duty.

2. Heard both sides.

3. Applicant himself admits in para 4(1) of the OA that two chargesheets both dated 15.2.96 under Rule 14 CCS (CCA) Rules have been issued to him. He contends that he has been suspended because he earned the

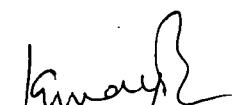
(12)

animosity of Shri Ramesh Tiwari ADM(R), but Shri Tiwari has not been impleaded as Respondent in the OA.

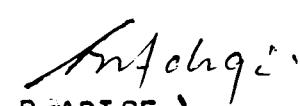
4. Applicant has been under suspension since 26.12.95. As per rules and instructions, the cases of employees under suspension have to be periodically reviewed to determine whether their continued suspension is justified. There is nothing on record to indicate when applicant's case was last reviewed.

5. We dispose of this OA with a direction to respondents to conduct a review in accordance with rules and instructions, as to whether applicant's suspension should be revoked, or should be continued and to pass a detailed, speaking and reasoned order thereon within 3 months from the date of receipt of a copy of this order. ^(under instructions to applicant) Meanwhile in the event, subsistence allowance is not being paid to applicant in accordance with rules and instructions, the same should be paid to him within that period of time.

6. The OA is disposed of in terms of para 5 above. No costs.


(KULDIP SINGH)

MEMBER (J)


(S.R. ADIGE)
VICE CHAIRMAN (A)

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