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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 229/1998

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New Delhi this the 14th September, 1998.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Dwarka Prasad S/O Bhulai Ram,
R/O LRS Institute of TB and
Allied Deseases
C/O Shri H.C. Sharma, Advocate,
F-499 Kherupur Gaon,
Kotla Mubarakpur,
New Delhi-110003.

... Applicant

(By Shri H. C. Sharma, Advocate)

-Versus-

Union of India through
Director, LRS Institute of TB and
Allied Deseases, Govt. of India,
Directorate General Health Services,
Aurobindo Marg,
New Delhi-30.

... Respondent

(By Shri J. C. Bhutani, Advocate)

O R D E R (ORAL)

Shri Justice K. M. Agarwal :

The only reliefs claimed in this OA are for directing the respondents to finalise the departmental proceedings initiated on 13.1.1995 at an early date, and also for revising and increasing the subsistence allowance as per rules. Looking to the nature of reliefs claimed, notice before admission was ordered. Counter has been filed by respondents.

2. The learned-counsel for parties were finally

Jm heard.

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3. During the course of arguments, the learned counsel for the respondents produced before us minutes of the meeting held on 10.9.1998 by the Director with CAO to review the suspension of the applicant. The decision taken was that no ground was made out for revoking the suspension of the applicant. The second decision taken was that the subsistence allowance could not be changed till further orders on the basis of the facts and circumstances appearing in the case.

4. We are of the view that in this OA suspension has not been challenged by the applicant. The first prayer is for directing the respondents to conclude the departmental proceedings within a reasonable time. We are of the view that this prayer can be allowed because the D.E. is pending since 13.1.1995. Accordingly, we direct the respondents to conclude the inquiry proceedings within a period of two months from the date of receipt of a copy of this order and within next two months, to supply copy of the inquiry report to the applicant, and thereafter to pass final order in the proceedings on the basis of such inquiry report within a period of two months.

5. So far as the second relief for directing the respondents to consider the applicant's case for enhancement of subsistence allowance is concerned, it appears that such consideration has been made by the Director in a meeting with CAO held on 10.9.1998. We,

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therefore, think that no further direction in this regard may be given. However, if the applicant feels aggrieved by the decision taken by the respondents in regard to subsistence allowance he may file separate OA, if so advised.

6. The minutes of the meeting held on 10.9.1998 filed by the learned counsel for respondents be kept on record.

7. Accordingly, with the directions aforesaid this application is finally disposed of. No costs.

Km

(K. M. Agarwal)
Chairman

R. K. Ahooja

(R. K. Ahooja)
Member (A)

/as/