

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 472/1998

(2)

New Delhi this the 3rd day of March, 1998.

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

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

Shri T. T. Kumaraswamy,
Personal Assistant,
Department of Heavy Industry,
Department of Industrial Policy &
Promotion, Ministry of Industry,
Government of India,
Udyog Bhawan,
New Delhi-11. Applicant

(By Mrs. Usha Siddharthan, Advocate)

-Versus-

1. Union of India through
Secretary, Department of Industrial
Policy & Promotion, Ministry of
Industry, Govt. of India,
Udyog Bhawan,
New Delhi-11.
2. The Secretary,
Department of Personnel & Training,
North Block,
New Delhi.
3. The Director,
Central Bureau of Investigations,
CGO Complex,
Lodhi Road,
New Delhi-110003. Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal :

Heard the learned counsel for applicant on admission.

2. Because of the pendency of criminal case against applicant he was suspended. This application

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has been filed for quashing the suspension on the ground that there is no progress in the criminal proceedings against applicant though a period of more than two years has elapsed since the date of his arrest and obtaining bail.

3. We are of the view that if the suspension is on account of a criminal case, that cannot be set aside unless and until the trial is over. If ultimately, applicant is acquitted, he may claim salary for the period of suspension because it was on the basis of the criminal case against him. At present, and in the circumstances aforesaid, we find no case for interference in this case. Accordingly, the OA is hereby summarily dismissed.

Km

(K. M. Agarwal)
Chairman

R. K. Ahuja -

(R. K. Ahuja)
Member (A)

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