

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A.NQ1663/95

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 07th day of September, 1995

Shri B.R.Jethwani
148-T, Aram Bagh
Chitragupta Road
New Delhi - 110 055.

... Applicant

(By Shri U.S.Prasad, Advocate)

Versus

Union of India

1. Ministry of Health
Nirman Bhawan
New Delhi.

2. The Director General of Health Services
Nirman Bhawan
New Delhi.

3. Medical Superintendent
Dr. Ram Manohar Lohia Hospital
New Delhi.

... Respondents

O R D E R (Oral)

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)

The applicant working as Head Clerk under the respondents has filed this application against the order dated 09.05.1995 issued by the Respondent No.3 placing the applicant under suspension with immediate effect. The applicant has stated that he had rendered long meritorious service and that the order of suspension was not justifiable. The applicant has alleged that there is no sufficient reason for the respondents to place him under suspension. The applicant has prayed that the respondents may be directed to reinstate him in service revoking the suspension order with consequential benefits.

2. Against this impugned order of suspension the applicant has filed an appeal to the respondent No.2 on 31.5.1995 and finding that there is no response, the applicant has filed this application.

.....2/-

(2)

2. Suspension being a routine administrative matter judicial intervention with such an order will be justified only if it appears that the order is vitiated by malafides. There is nothing in the allegation in the Original Application from ^{which we} ~~what we~~ could be legitimately informed that the third respondent ^{in placit} was motivated by malice ~~inflicting~~ the applicant under suspension. We do not ~~just~~ even prima facie find any ground for judicial intervention in the matter. The application is therefore, rejected under Section 19(3) of the Administrative Tribunal Act, 1985.

No costs.

R.K. Ahuja
(R.K. AHOOJA)
MEMBER(A)

/RAD/

(A.V. Haridasan)
VICE-CHAIRMAN(J)