

(44)

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 236/95

New Delhi this the 17th day of September 1997

Hon'ble Shri S.R.Adige, Vice-Chairman (A)
Hon'ble Dr. A. Vedavalli, Member (J)

Shri G.S. Gopala,
S/O late Shri R.S. Gopala,
R/O HL-16, Anand Vihar,
Hari Nagar, New Delhi-110064

.....Applicant

(Applicant in person)

Versus

1. Union of India, through the
Secretary to the Govt. of India,
Department of Revenue, Ministry of Finance,
North Block, New Delhi.
2. Central Board of Direct Taxes,
Ministry of Finance, North Block,
New Delhi.

.....Respondents

(By Advocate: Shri V.P. Uppal)

ORDER (Oral)

By Hon'ble Shri S.R.Adige, Vice-Chairman (A)

Applicant impugnes orders dated 12.1.1993 and 3.5.95. rejecting his representations for revocation of suspension and to direct the respondents to put him back on duty forthwith with all consequential benefits.

2. It is not disputed that applicant was placed under deemed suspension under Rule-10 (2) CCS (CCA) Rules 1965 order dated 25.9.91 w.e.f. 14.4.91 upon his detention in police custody on 14.4.91 for a period exceeding 48 hours, on the charge of having committed offence under Section 498A/306, I.P.C.

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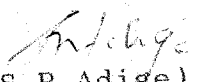
3. We understand that the criminal case is now pending in the appropriate court and meanwhile applicant's suspension has been continued after reviewing his case from time to time. The last such review is stated to have been conducted some time before 3.5.95.

4. Both applicant, who argued his case in person, as well as respondents' counsel Shri V.P.Uppal states that review of cases of officers under suspension has to be conducted every six months, and as the last review which is impugned in the present OA was conducted before 3.5.95, it would appear that another review is now over due.

5. Without interfering in any way with the impugned order sated 12.1.93 and 3.5.95, we dispose of the O.A. with a direction to the respondents to conduct another review as expeditiously as possible in accordance with rules, regulations, relevant facts and surrounding circumstances and thereafter take a decision whether the applicant should continue to remain under suspension or not.

6. The O.A. stands disposed of accordingly.
No costs.


(Dr.A. Vedavalli)
Member (J)


(S.R. Adige)
Vice-Chairman (A)

cc.