

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...
OA.No.1769 of 1997

Dated New Delhi, this 19th day of August, 1997. (2)

HON'BLE DR JOSE P. VERGHESE, VICE CHAIRMAN (J)
HON'BLE MR K. MUTHUKUMAR, MEMBER (A)

Karamjit Singh
S/o Late Shri H. S. Hari
R/o J-428 Sarojini Nagar
NEW DELHI-110023.

... Applicant

By Advocate: Shri G. S. Lobana

VERSUS

1. Union of India
Through Ministry of Communication
Department of Posts, Dak Bhawan
Parliament Street
NEW DELHI-110 001.
2. Shri Om Parkash
Assistant Superintendent of
Post Offices (Vigilance)
Department of Posts
Dak Bhawan, Parliament Street
NEW DELHI-110 001. ... Respondents

By Advocate: Mrs P. K. Gupta

ORDER
(Oral)

Dr Jose P. Verghese, VC(J)

The relief sought in this application is quashing of the suspension order issued on February 13, 1997 against the applicant. In the circumstances when the respondents have contemplated disciplinary proceedings to be initiated against the applicant, the applicant has filed a representation against the same and the same has been rejected by an order dated 13.8.97.

2. The complaint of the applicant is that the said suspension order is passed mechanically and

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without application of mind. A short reply is filed by the respondents and it is stated that there is a case pending against the applicant and the chargesheet could not be issued due to the pendency of three OAs in this court which are stated to be dismissed by an order today. In the circumstances, the counsel for the applicant states that the chargesheet will be issued. In view of the statement the apprehension that the applicant is under suspension for no fault of his own, is not tenable.

2. The respondents may issue the chargesheet as quickly as possible, preferably within one month from today.

3. The second relief sought by the applicant is that the suspension order issued against the applicant may be subjected to review in accordance with the rules and the payment of arrears of enhanced subsistence allowance due to the applicant may be directed to be paid.

4. The respondents have issued an order on 13.8.97 (taken on record) wherein it is stated that the subsistence allowance being paid to the applicant has been enhanced in accordance with the rules and appropriate orders have also been passed. In the circumstances, no further relief can be granted in this application at present. The plea of the competency

of the authority who has passed the order is left open.

(A)

5. With these, the OA is disposed of. No order as to costs.


(K. Muthukumar)
Member(A)


(Dr Jose P. Verghese)
Vice Chairman(J)

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