

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO. 2184/1997

New Delhi this the 25th day of September, 1997. (2)

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

HON'BLE SHRI N. SAHU, MEMBER (A)

Shri Janardhan Pal  
S/O Shri Rati Ram,  
R/O 480/6, Jagrati Vihar,  
Meerut.

... Applicant

( By Shri R. S. Rawat, Advocate )

-Versus-

1. Union of India through  
Secretary, to the Government  
of India, Department of  
Telecommunication,  
Ministry of Telecommunication,  
New Delhi.
  2. The General Manager Telephones (Admn),  
Office of the General Manager  
(Telephones), Ghaziabad,  
Distt. Ghaziabad.
- ... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal -

Heard the learned counsel for the applicant on  
admission.


2. By this application, the applicant wants a  
direction to the respondents to release his salary  
since December, 1993. The learned counsel submitted  
that the applicant was arrested on 30.12.1993 in  
connection with case No. R.C. 22/92 by the C.B.I.,  
Chandigarh. Intimation to that effect was given to  
the authorities but his salary has been stopped.

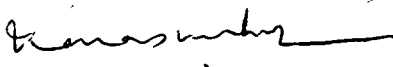
3. Annexure-II dated 9.9.1994 is a notice to  
the applicant by the department alleging that he was  
not attending the office since 24.11.1993 and calling  
upon him to show cause why he remained absent without

intimation and without any application for leave. In his reply dated 17.10.1994, the applicant submitted that he was suffering from illness since 24.11.1993 and thereafter remained in custody of the C.B.I. from 30.12.1993 to 23.1.1994. What happened thereafter and when did the applicant join duties is not clear. The learned counsel orally informed that the applicant met with an accident.

4. In these circumstances, we are not convinced that any case is made out for giving any direction in this O.A. The proper course open to the applicant appears <sup>to be</sup> to report himself for duty before the respondents, who may either take him on duty and thereafter suspend him and hold enquiry for his wilful absence for any period, or may suspend him on the ground of investigation, or enquiry or trial in the criminal case against him, or may pass such other orders as may be advised to them. If by the order that ultimately is passed by the authorities, the applicant feels aggrieved, he may be at liberty to approach the Tribunal afresh for appropriate relief, if so advised.

5. With the aforesaid observations, the O.A. is summarily dismissed.

  
( K. M. Agarwal )  
Chairman

  
( N. Sahu )  
Member(A)

/as/