

Central Administrative Tribunal, Principal Bench

Original Application No. 719 of 2000

New Delhi, this the 24th day of August, 2000

Hon'ble Mr. Kuldip Singh, Member (J)
Hon'ble Mrs. Shanta Shastri, Member (A)

Shri Chaman Lal S/o Shri Ram Khelawan
34-L, Central Govt. Housing Complex
Vasant Vihar, New Delhi-57

- Applicant

(By Advocate - Shri P.M. Ahlawat)

Versus

1. Union of India, through
The Secretary to the Govt. of India,
Ministry of Urban Development
Nirman Bhawan, New Delhi-11

2. The Under Secretary to the Govt. of India,
Ministry of Urban Development
Nirman Bhawan, New Delhi-11

- Respondents

(By Advocate - Shri S.K. Gupta)

O R D E R (ORAL)

By Hon'ble Mr. Kuldip Singh, Member (J)

Heard.

2. The charge against the applicant in this case is that one Shri Netam Sumer Singh was caught red handed while accepting Rs. 35,000/- at the behest and presence of the applicant at about 7.30PM at Akshay Place, Hotel Pusa Road, New Delhi. The applicant herein as well as Shri Netam Sumer Singh are said to be facing trial before the Special Judge at Tis Hazari. The applicant had been placed under deemed suspension vide order dated 8.6.99. The said suspension order has been reviewed periodically. However, the applicant states that this continued suspension is in violation of extant rules and the law declared by Hon'ble Supreme Court and it is also in violation of Article 21 of the Constitution of India.

for

So he has prayed that his suspension order should be revoked.

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3. Shri S.K.Gupta, learned counsel for the respondents submits that since the applicant is facing a trial before the Special Judge, Delhi on the charges which are serious in nature, the suspension order should not be revoked at this stage and it will not be expedient to permit the applicant to join his duties.

4. In our view also, since the applicant is facing grave charge of corruption and as his suspension is being reviewed from time to time, so there is no violation of any rules and the principles of natural justice in continuing the applicant under suspension. Even otherwise, learned counsel for applicant has failed to establish as to under what rules and instructions, the suspension of the applicant is not in order.

5. In view of the above, no interference is called for in the impugned order at this stage. This OA is, therefore, dismissed. No costs.

Shanta
(Mrs. Shanta Shastri)
Member (A)

Kuldip Singh
(Kuldip Singh)
Member (J)

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