

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.160/2020 with MA No.160/2020

This the 30th day of July, 2020

**Coram : Hon'ble Shri J.V.Bhairavia, Member (J)
Hon'ble Shri A.K.Dubey, Member (A)**

Mr. Vishnu Kumar Jamnadas Rajput, IAS
Presently under Suspension
Male, Age – 54 years,
Residing at : A/4, Raag Duplex,
Nr. GLDC Workshop,
Sardar Patel Road, Subhanpura,
Vadodara 390 023. Applicant

(By Advocate : Shri N.S.Kariel)

VERSUS

1. Union of India,
Notice to be served through
The Secretary (Personnel)
Department of Personnel & Training
Ministry of Personnel, Public Grievances and Pensions
North Block, New Delhi – 110 001.
2. The State of Gujarat
Notice to be served through
The Secretary, Personnel
General Administration Department
Block No.7 (1-5 Floor)
Sachivalaya,
Gandhinagar, Gujarat. **Respondents**

ORDER – ORAL

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

In the instant OA, aggrieved by continuation of suspension period, the applicant has filed the present OA.

2. Learned counsel for the applicant, Shri N.S.Kariel submits that the applicant is a IAS officer of the 2009 Gujarat Batch and was last

posted as Municipal Commissioner, Junagadh, from 26.09.2016 till 09.04.2018. Thereafter, by way of notification dated 02.04.2018, the applicant was transferred, but no subsequent posting was given to him.

3. It is submitted that the respondents issued order dated 14.11.2018 under the provision of Rule 3(1)(a) of AIS (D&A) Rules, 1968 and the applicant was placed under suspension pending contemplated disciplinary proceedings. He was served with the charge memo bearing No.AIS -41.2018 – 154788 –G dated 14.12.2018.

4. It is submitted that from time to time, the respondents have extended the suspension period of the applicant. He has submitted various representations for his reinstatement. However, no response has been received to it and respondents continued to extend the suspension period of the applicant due to pending of the departmental proceedings. The applicant has submitted his defence reply to the said charge memo.

5. It is also submitted that during the pendency of this OA, the respondent No.1 issued order dated 07.03.2020 by extending the period of suspension from 09.3.2010 to 06.07.2020. Therefore, the applicant has filed an MA No.160/2020 for amendment of the OA.

6. Counsel for the applicant submits that recently the respondents had again decided to extend the suspension period from 07.07.2020 to 04.10.2020.

7. After arguing for some time, counsel for the applicant submits that the applicant will be satisfied, if appropriate direction be issued to the respondents for expeditiously completion of the pending disciplinary proceedings initiated against him.

8. Considering the materials on record, it is noticed that the disciplinary proceedings had been initiated against the applicant in the month of December, 2018 and as per the contention of the applicant, the same is not completed till date. Consequently, the respondents has extended the suspension period from time to time and latest, it is ordered to be continued from 07.07.2020 to 04.10.2020. Therefore, at this stage, without expressing any opinion on the continuation of the period of suspension of the applicant, we dispose of this OA with a direction to the respondents to conclude the pending disciplinary proceeding initiated against the applicant vide charge memo dated AIS -41.2018 – 154788 –G dated 14.12.2018 within a period of four months from the date of receipt of a copy of this order. The applicant is directed to cooperate in the disciplinary inquiry.

9. With this direction, the OA as well as MA No.160/2020 stand disposed of. No order as to costs.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

nk