

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A./61/1689/2020 (WP (C).No.2370/2019)



This the 19th day of November, 2020

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

Choudhary Rashid Azam Inqlabi, S/o Choudhary lal Din R/o Village
Rajpura Kamila, Tehsil Nowshera, District Rajouri, Age 59 years.

.....Applicant
(Advocate: Mr. M.I. Sher Khan - None)

Versus

The State of Jammu and Kashmir through its Commissioner/Secretary
to Govt. General Administration Department, Civil Secretariat
Jammu/Srinagar.

.....Respondent
(Advocate:- Mr. Rajesh Thapa, Deputy Advocate General)

O R D E R
[O R A L]

Justice L. Narasimha Reddy, Chairman:

The applicant was working as Sub Divisional Magistrate in the year 2008. He was placed under suspension through an order 13.11.2008 on the basis of a complaint made by one Mr. Abdul Ghani Malik, Ex-MLA, and it remained in force till June 2009. It appears that the period of suspension was treated as on leave. The applicant made series of representations between 2008 and 2018, with a request to regularize the period of suspension. His grievance is that no orders have been passed thereon. Aggrieved by the same, he filed WP (C) .No.2370/2019 before the Hon'ble High Court of Jammu & Kashmir.

2. In view of the re-organization of the State of Jammu & Kashmir, the SWP was transferred to this Tribunal and re-numbered as TA.No.2453/2020.

3. We heard Mr.M.I.Sherkhan, learned counsel for the Applicant and Mr.Rajesh Thapa, learned Deputy Advocate General, for the Respondents.

4. The limited grievance of the applicant is about the manner in which the period of suspension must be treated. It is not known as to whether any disciplinary proceedings have ensued. Further, the relevant rules provide the manner in which the period of suspension must be treated, depending upon the proceedings that precede or follow the period of suspension. It is a matter to be verified by the respondents. The simple matter like this cannot be kept pending for decades.

5. We therefore dispose of this OA directing the respondents to pass orders on the claim of the applicant as regards the manner of treating the period of suspension, within two months from the date of receipt of a copy of this order. There shall be no order as to costs.

(A.K. BISHNOI)
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

Dsn.