

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

DA No. 1541/87 MP 1169/92 .. Date of decision: 26.05.93

Sh. J.S. Rana .. Applicant

Versus

Union of India .. Respondents

FORAM

Hon'ble Justice Sh. S.K. Dhaon, Vice Chairman (J)

Hon'ble Sh. S.R. Adige, Member (A)

For the applicant .. Applicant in person

For the respondents .. Sh. M.L. Verma, Counsel.

J U D G E M E N T (Oral)

In substance, only one relief is prayed for in this application and that is that the order dated 25.3.87 whereby the services of the petitioner was suspended be quashed.

The petitioner appears in person. He has produced before us a photocopy of the order dated 27.1.93 passed by the Administrator of the Union Territory of Lakshadweep whereby the said order of suspension has been revoked. In view of this development, this application has become infructuous.

The petitioner states that in spite of the said order dated 27.1.93, he has not been given a posting so far.

It is implicit in the said order dated 27.1.93 that the petitioner has been restored to his original position.

Therefore, no separate order of reinstatement is required to be passed. The authority concerned shall now act expeditiously and pass an order of the posting of the petitioner.

The petitioner also states that no order has been passed under Rule 54(2) of the Fundamental Rules regarding the treatment to be given to him vis-a-vis his pay etc, during the period of suspension. Such an order should have been passed along with the order dated 27.1.93. In any case, the order should have been passed within a reasonable period.

Now such an order can not be passed. Therefore, it shall be deemed that the petitioner is entitled to receive his entire emoluments during the period of suspension. He shall be also entitled to all the increments which he would have received but for the order of suspension.

With these, directions, the application is disposed of finally. No order as to costs.

A copy of this order be given to the applicant as soon as possible.

S.R. Adige
(S.R. Adige)
Member (A)

S.K. Dhaon
(S.K. Dhaon)
Vice Chairman (J)