

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

REGN. NO. O.A.77/87.

DATE OF DECISION: 30th July, 1992.

Dr. N.K. Pal.

... Petitioner.

Versus

Union of India & anr.

... Respondents.

CORAM: THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. I.K. RASGOTRA, MEMBER(A).

For the Petitioner.

... None.

For the Respondents.

... Shri A.K. Behra,
proxy for Shri P.H.
Ramchandani, Counsel

JUDGEMENT (ORAL)

(Hon'ble Mr. Justice V.S. Malimath,
Chairman)

Neither the petitioner nor his counsel was present.

Shri A.K. Behra, Counsel, appeared for the respondents. As this is very old matter, we thought it proper to look into the record, hear the learned counsel for the respondents and dispose of this matter on merits.

2. The petitioner was kept under suspension by the impugned order (Annexure A-2) dated 12.3.1986 under sub-rule(I) of Rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, on the ground that the disciplinary proceedings are contemplated against the petitioner. The petitioner challenged the said order of suspension before this Tribunal. The Tribunal dismissed the said petition on 29.7.1986 on the ground that it is too early for the petitioner to complain about the order of suspension on the ground that the disciplinary proceedings

have not yet been initiated. Liberty was, however, reserved for the petitioner to challenge the said order if the disciplinary proceedings are not taken for an unconscionably long period and the petitioner is continued under suspension. It is in this background that the petitioner has once again approached the Tribunal praying for quashing the order of suspension. It was brought to our notice by the counsel for the respondents that the charges have been framed on 4.2.1987 initiating disciplinary inquiry against the petitioner. Shri Behra, learned counsel for the respondents, submitted that the disciplinary inquiry was complete and the petitioner was exonerated of the charges levelled against him. He also submitted that the petitioner has retired from service. Having regard to the above submissions, it is obvious that which there is nothing/needs to be examined in this case. This petition, therefore, does not survive.

3. For the reasons stated above, this petition fails and is, therefore, dismissed. No costs.

Subhash
(I.K. RASOTRA)
MEMBER(A)

V.S. Malimath
(V.S. MALIMATH)
CHAIRMAN