

Central Administrative Tribunal  
Principal Bench, New Delhi

O.A.No.2746/2004

Wednesday, this the 17<sup>th</sup> day of November 2004

Hon'ble Shri Justice V. S. Aggarwal, Chairman  
Hon'ble Shri S. K. Naik, Member (A)

Shri Krishan Kumar Bhardwaj  
S/o Shri Jagdish Kumar Bhardwaj  
R/o Village Shikarpur  
New Delhi-43

(Applicant in person)

..Applicant

Versus

Directorate of (Income Tax & Audit)  
Mayur Bhawan, 5<sup>th</sup> Floor  
Cannought Place  
New Delhi  
Through Director of  
Income Tax Audit & Administration

..Respondent

ORDER (ORAL)

Justice V. S. Aggarwal

The applicant by virtue of the present petition seeks that the suspension order passed on 27.7.1999 should be revoked and he should be granted the consequential benefits.

2. Some of the facts from the record can conveniently be delineated. The applicant was facing trial in the court of the learned Additional Chief Metropolitan Magistrate with respect to the offence punishable under Section 170 of Indian Penal Code. In pursuance of the same, the applicant has been placed under suspension. The suspension order had continued. The applicant had been acquitted by the above said court on 16.4.2002.

3. He contends that he should be reinstated.

4. In this regard the applicant has already sent a notice, copy of which is Annexure-D, addressed to the Commissioner, Income Tax, seeking reinstatement.

Ms Ag

(2)

5. An order of 2.4.2004 has been passed.
6. We had put it to the applicant and he has informed that no charge-sheet has been served upon him.
7. At this stage, keeping in view these facts, to which we have referred to above, it would be appropriate that the respondent passes a speaking order, if the applicant has been <sup>to be</sup> kept under suspension in accordance with law or not. The said order should be passed within four months of the receipt of a certified copy of the present order.

8. With this direction, OA is disposed of.

S. K. Naik  
( S. K. Naik )  
Member (A)

/sunil/

18 Aug  
( V. S. Aggarwal )  
Chairman