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CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA 61/2004  
MA 60/2004

New Delhi, this the 14th day of January, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

1. Sh. R.P.Dabas  
H.No.789, Village & P.O.  
Kanjhawala, Delhi - 81.
2. Sh. K.G.Batra  
Flat No.14-A, Navyug  
Adarsh Apartments  
Vikas Puri, New Delhi - 18.

...Applicants

(Applicants in person)

V E R S U S

1. Chief Secretary  
Govt. of NCT of Delhi  
Delhi Sachivalaya Bhawan  
New Delhi - 110 002.
2. Commissioner-cum-Principal Secretary  
(F&S Deptt.), Govt. of NCT of Delhi  
K-Block, Vikas Bhawan, IP Estate New Delhi - 2.
3. Principal Secretary (Services)-  
cum-Director (Vigilance), Govt.  
of NCT of Delhi, Sachivalaya Bhawan,  
New Delhi - 2.

...Respondents

O R D E R (ORAL)

Shri Sarweshwar Jha,

MA 60/2004 for joining together is allowed.

2. Heard the applicants in person who have preferred this OA against the orders of their suspension as passed by the respondents vide their No.F.12(68)/F&S/Vig/2001/3114 dated 12-12-2001 in the case of K.G.Batra (applicant No.2) and F.12(68)/F&S/Vig/2001/3107 dated 12-12-2001 in the case of Sh. R.P.Dabas (applicant No.1), with prayers that respondents be directed to revoke the suspension orders pending departmental enquiry, as the appeal of the applicants dated 9-5-2003 is pending with them. The appeal is solely related to their request for revocation of suspension.

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3. The matter appears to be limited to whether the applicants have been placed under suspension following the appropriate rules/instructions on the subject and whether the respondents have considered the representations/appeal made by the applicants in the matter and taken an appropriate decision. In the absence of there being any facts available on the subject, the appropriate course would be to dispose of the present application at the admission stage itself without issuing notice to the respondents with directions to them to consider the appeal of the applicants, which has already been pending with them, together with this OA, treating it as a representation of the applicants, a copy of which shall be made available to them, and to dispose them of by issuing a reasoned and speaking order as per law within a period of two months from the date of receipt of a copy of this order. It is directed that the respondents shall give an audience to the applicants before they dispose of the matter as directed above so as to ascertain the full facts of the case before the appropriate orders, as directed above, are issued. If the grievance of the applicants still survives, they will have liberty to proceed in the matter as per law.

4. This OA, thus, stands disposed of in terms of the above observations/directions.

  
(SARWESHWAR JHA)  
MEMBER (A)

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