

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn. No. O.A. No. 1344/92

Date of decision 21.7.1992

Narain Singh

Applicant

Shri P.L. Mimroth

Counsel for the applicant

vs

Union of India

Respondents

The applicant has requested for quashing of the chargesheet and the appointment of the Inquiry Officer in a domestic inquiry. He has requested for this relief mainly on two grounds, namely, (i) that the suspension order dated 5.12.1980 was revoked by a subsequent order dated 19.9.91 (Annex. A-3) and (ii) a criminal case which was also pending against him on the same charge ended in his acquittal.

2. The mere revocation of a suspension order does not by itself justify that the domestic inquiry should be closed. In the criminal charge, the applicant was given the benefit of doubt and he was acquitted. The disciplinary authority is not precluded from conducting a domestic inquiry after such acquittal, more so in view of the article of charge issued against the applicant.

3. The applicant has further prayed in the application that the respondents be directed to revoke the suspension order and make payment of salary and allowances for the period of suspension. The suspension order has already been revoked and the respondents are directed to issue an order early, preferably within a period of two months, specifying how the period of suspension should be treated and what pay and allowances would be admissible during the period.

4. On the conclusion of the domestic inquiry, the applicant is free to approach this Tribunal if he finds any illegality or irregularity in the order that may be passed against him or in adopting the procedure for passing that order.

5. With the above observations and directions, the case is

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disposed of at the stage of admission itself without issuing notice to the respondents.

I. P. Gupta
(I.P. GUPTA)

MEMBER (A)

Ram Pal Singh
(RAM PAL SINGH)

VICE-CHAIRMAN (J)