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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

(2)

O.A.No.2185/92

Date of decision : 14.07.1993.

Shri Mahender Kapoor Applicant
versus
Union of India & Ors. Respondents

Coram:-

The Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman

The Hon'ble Mr. B.N. Dhoundiyal, Member(A)

For the applicant : Sh. K.L. Bhatia, counsel
For the respondents : Sh. P.P. Khurana, counsel

JUDGEMENT (ORAL)

(delivered by Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman)

The order dated 29.4.1991 passed by the Dy. Collector of Customs (P&V), Collectorate of Customs, Custom House, I.P. Estate, New Delhi suspending the petitioner from service w.e.f. the date of detention i.e. 06.04.1991 is being impugned in the present O.A. This impugned order was passed in terms of sub-rule(2) of Rule 10 of the Central Civil Services(Classification Control and Appeal) Rules, 1965.

It is now admitted by the ^{respondent} ~~petitioner~~ that the detention of the petitioner has been revoked by the Administrator of Union Territory of Delhi vide order No.F.5/20/91-Home dated 18.6.1991. In view of this order, we

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4) see no justification as to ^{why the} ~~any~~ order of suspension should be allowed to continue. We accordingly quash the same. However, we make it clear that this order will not preclude the respondents from passing any fresh order in accordance with law, as they are advised to pass. It will now be open to the appropriate authority to pass an order as to how the petitioner be treated during the period of his suspension.

With these observations, this O.A. is finally disposed of. There will be no order as to costs.

(B.N. Dhoundiyal)

Member(A)

^{S.K.}
(S.K. Dhaon)

Vice Chairman

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