

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A.No.1869/93



New Delhi this the 27th Day of January, 1994.

Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman
Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Sh. Suraj Mal Singh Rang,
House No.953, Sector-28,
Faridabad.

Petitioner

(By advocate Sh. K.B.S. Rajan)

versus

1. The Union of India
through the Secretary,
Ministry of Finance,
North Block,
New Delhi.
2. The Collector of Customs,
Customs House,
Indra Prasta Estate,
New Delhi.
3. The Deputy Collector(P&V),
Customs House,
Indra Prastha Estate,
New Delhi.

Respondents

(By advocate Sh. R.R. Bharti)

ORDER(ORAL)

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

The order dated 27.10.1992 suspending the petitioner from service is being impugned in the present application.

A counter-affidavit has been filed on behalf of the respondents. The learned counsel for the parties have been heard.

In the counter-affidavit the only reason given for not serving a charge memo upon the petitioner is that investigation is still going on. We may note that the order of suspension was passed in

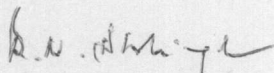
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contemplation of disciplinary proceedings. More than 14 months have elapsed since passing of the impugned order and by now a charge memo should have been given to the petitioner. That having not been done, we are not bound to issue any positive order.

We direct the respondents to serve a charge memo upon the petitioner within a period of one month from the date of the presentation of a certified copy of this order by the petitioner to the Dy. Collector (P&V). If this is not done within the time specified, the impugned order of suspension shall stand automatically revoked. However, we make it clear that disciplinary proceedings, if lodged, will go on.

With these directions, the O.A. is finally disposed of. No costs.


(B.N. Dhoundiyal)

Member(A)

(S.K. Dhaon)

Vice-Chairman(J)