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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 20 DAY OF MAY 1997

Original Application No. 271 of 1997

HON.MR.JUSTICE B.C.SAKSENA,V.C.

HON.MR.S.DAS GUPTA, MEMBER(A)

Bhanu pratap Singh, s/o Shri Surya Pal Singh, r/o village and post Manda Sarai District Fatehpur, U.P.

By Advocate Shri Arvind Vashist

Applicant

Versus

1. Union of India through Secretary Ministry of Communication, New Delhi
2. Director Postal Services, Kanpur U.P.
3. Supdt. of Post Offices Fatehpur Division, Fatehpur.

Respondents

O R D E R(Oral)

JUSTICE B.C.SAKSENA,V.C.

We have heard the learned counsel for the applicant. Through this OA the applicant challenges an order dated 16.3.96 by which he was put off duty since criminal proceedings against him were pending. The learned counsel for the applicants urged that though the applicant has been convicted by the trial court. On an appeal against the said conviction and sentence preferred by him the High court has been pleased to admit the appeal and have suspended the sentence. The learned counsel therefore submitted that in view of this the applicant is entitled to be reinstated. This submission is wholly untenable in view of the recent decision in Deputy Director of Collegiate Education (Admn.) Vs. Nagoor.

Meera reported in 1995(2) SLP pg 379 (SC)

R.D.

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The mere fact that the criminal appeal have been admitted and the sentence has been suspended does not effect the order passed by the Authority earlier. The OA lacks merit and is therefore dismissed summarily.

*LR*  
MEMBER (A)

*Bar*  
VICE CHAIRMAN

Dated: May 20th, 1997

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