

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

(11)

Original Application No. 470 of 1997

Allahabad this the 09th day of December, 1999

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.M.P. Singh, Member (A)

1. Smt.Kanti Srivastava, W/o Late R.C. Srivastava aged about 55 years, R/o 935(G), Krishna Nagar, Gorakhpur.
2. Sanjai Kumar Srivastava, aged about 34 years, S/o Late R.C. Srivastava, R/o 935(G), Krishna Nagar, Gorakhpur.
3. Manoj Kumar Srivastava, aged about 24 years, Son of Late R.C. Srivastava, R/o 935(G), Krishna Nagar, Gorakhpur.
4. Km.Madhu Srivastava, aged about 28 years, D/o Late R.C. Srivastava, R/o 935(G), Krishna Nagar, Gorakhpur.
5. Km.Poonam Srivastava, aged about 26 years, D/o Late R.C. Srivastava, R/o 935(G), Krishna Nagar, Gorakhpur.

Applicants

By Advocate Shri O.P. Khare

Versus

1. Union of India through the Member, Secretary Vigilance, Railway Board, Ministry of Railways, New Delhi.
2. Chief Commercial Manager, North Eastern Railway, Gorakhpur.

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3. Chief Claims Officer, North Eastern Railway, Gorakhpur.
4. M.A. Naseem, Asstt. Commercial Manager(Court) now Assistant Commercial Manager(General), North Eastern Railway, Gorakhpur.
5. A.K. Srivastava, Law Assistant, C/o Chief Law Officer, North Eastern Railway, Gorakhpur.

Respondents

By Advocate Shri G.P. Agrawal

O R D E R (Oral)

By Hon'ble Mr. S.K.I. Naqvi, Member(J)

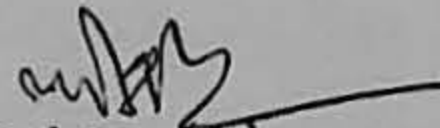
Late R.C. Srivastava while working as Office Superintendent Grade II in the Office of Chief Commercial Manager, North Eastern Railway, Gorakhpur, was suspended on 24.9.96 for alleged loss of file which is said to be ^{lost from} in his custody. Subsequently, the suspension was revoked vide order dated 07.11.1996, which was to take effect from 06.11.1996. During the pendency of this O.A. Late R.C. Srivastava expired and his wife two sons and two daughters have been substituted as legal heirs to press the relief sought for in respect of payments for the period during which the original applicant remained under suspension. It has been pointed out on behalf of the respondents that the original applicant was allowed increment in his pay scale w.e.f. September, 1997 and also that the matter regarding other consequential pay fixation and payment of arrears of pay may be considered by the department and decided as per rules in this regard.

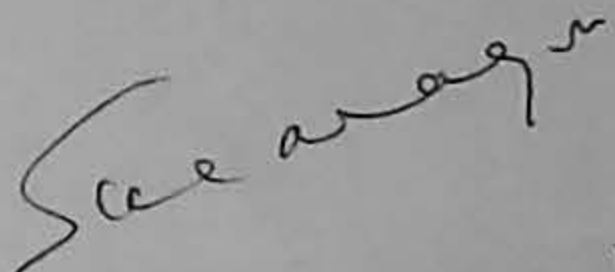
Signature

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2. With the observation that the period of suspension, under consideration in the matter, be deemed to be the duty period of the applicant, the departmental concerned is directed to decide its consequential effects on fixation of pay and the increment and due payment thereof, within 3 months from the date of communication of this order to the respondents alongwith representation by the present applicants in respect of claimed amount. The O.A. is decided accordingly. No order as to costs.


Member (A)


Member (J)

/M.M./