

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated : This the 10TH day of MARCH 2005.

Original Application no. 1482 of 2001.

Hon'ble Mr. K.B.S. Rajan, Member J

Anil Mohan Singh, S/o late Chandra Singh,
Deputy Registrar of Companies (Prosecution),
UP and Uttranchal, Westcott Building, The Mall, Kanpur.
R/o Plot No. C-1/04, Mangal Aappartments
Plot No. 16, Vasunddhara Enclave, Delhi.

...Applicant

By Adv : Sri S. Mandhyan

VERSUS

1. Union of India through Secretary,
Company Affairs, Ministry of Law Justice and Company Affairs,
Department of Company Affairs,
Shastri Bhawan, New Delhi.
2. Registrar of Companies, U.P. and Uttranchal,
Westcott Building,
The Mall, Knapur.
3. N.K. Bohla, Registrar of Companies,
U.P. and Uttranchal, Westcott Building,
The Mall, Knapur.

...Respondents.

By Adv : Sri S. Singh

O R D E R

By K.B.S. Rajan, JM

The only point involved in this case is the deemed suspension of a person on account of his having been arrested in a criminal case can be kept continued even when the criminal case is decided holding the person as being innocent and hence acquitted.

2. The applicant, is functioning as Dy. Registrar of Companies of UP and Uttranchal, a senior Group A post at Kanpur, He was, on charge u/s 498 A of the I.P.C. arrested at Meerut on 02-09-2001. The Department by

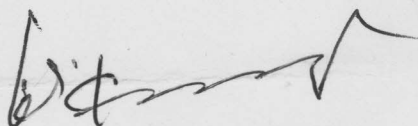


impugned order dated 29th October, 2001 kept him under deemed suspension.

3. While the applicant had challenged the legal validity of the order of deemed suspension through this O.A. the applicant was tried in the criminal case and the criminal Court at Meerut had thoroughly acquitted him, vide order dated 22nd November, 2002, a copy of which was made available to the respondents and the Tribunal. With this development, there is no scope of continuing the applicant in deemed suspension.

4. In view of the above, the OA is allowed. The respondents are directed to pass suitable orders, revoking the deemed suspension of the applicant and further regularize the period of suspension in accordance with law. Needless to mention that any dues payable to the applicant in pursuance to such revocation of suspension and regularization of service would be made available to the applicant within a reasonable period, say four months from the date of receipt of communication of this order.

No cost.



MEMBER-J

GIRISH/-