

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 21st day of November, 2001.

Original Application No. 1093 of 2001.

CORAM:-

Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. Rafiuddin, J.M.

Mahesh Pal
Son of Sri Hukum Singh, Driver,
Doordarshan Kendra, Broadcasting
Corporation of India, Government of India,
Near Lal Pathak Budhan Road,
Post Box No.141, Bareilly.

(sri R.D. Agrawal/Km. Reena Agrawal, Advocates)

.... Applicant

Versus

1. Union of India through the Director General Doordarshan, Broadcasting Corporation of India, Government of India, Mandi House, Copernicus Marg, New Delhi-110001.
2. Director, Prasar Bharti (Broadcasting Corporation of India), Doordarshan Kendra, Bareilly.
3. Station Director, Government of India, Doordarshan Kendra, Post Box No.141, Budaun Road, Bareilly-243001.

(Sri R.C. Joshi, Advocate)

.... Respondents

O R D E R (O_r_a_l)

Hon'ble Mr. S. Dayal, A.M.

This application has been filed for setting aside Memo. dated 14-6-2001. A direction to respondents is also sought to take the applicant back on work and pay all salaries and allowances in accordance with rules, if no suspension order has been served upon the applicant.

2. The case of the applicant is that the applicant reported for duty on 4-5-2001 after availing leave from 12-3-2001 to 3-5-2001. He was not allowed to perform any duty. He has been issued Memo. dated 14-6-2001 by

which the applicant has been charged with solemnising second marriage with Ms. Sima while his first wife Mrs. Neeraj is living. Learned counsel for the applicant has also submitted that the applicant has also been charged that he left Agra without permission for visiting Mirzapur and in absence from duty signed the attendance register.

3. Since the applicant has been served with the charge sheet, the contention of the learned counsel for the applicant that the applicant has not performed second marriage can only be made in the departmental enquiry which may be held against the applicant. Therefore, the application before us at this stage is not maintainable as against Annexure-A-1, which is Memo of Charges.

4. As far as the issue of suspension is concerned, the respondents may serve a copy of the suspension, if not already served, on the applicant who may file his appeal against the same and the appeal if filed against the suspension order, shall be decided by the competent authority within a period of one month from the date of receipt of a copy of the appeal. The application stands disposed of accordingly.

5. Learned counsel for the applicant prays that till the applicant is served with the order of suspension, he may be treated on duty and be paid salary and emoluments. We are not inclined to grant this prayer of the learned counsel for the applicant in view of the fact that knowledge of suspension is very much there to the applicant as is clear from the ~~proviso~~ averments made in the OA.

6. There shall be no order as to costs.

Rafiquddin *A*
Member (J) Member (A)

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