

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD**

Original Application No.894 of 2004.

Monday, this the 16th day of August, 2004.

Hon'ble Mr. Justice S.R. Singh, V.C.  
Hon'ble Mr. S.C. Chaube, A.M.

R.S. Verma,  
S/o Shri Megh Singh,  
Junior Telecom Officer,  
G.M.T.D., Ghaziabad,  
District Ghaziabad.

....Applicant.

(By Advocate : Shri S.C. Mandhyan)

Versus

1. Union of India,  
through Secretary,  
Ministry of Communication &  
Information Technology,  
Govt. of India, New Delhi.
2. Adviser (H.R.D.) Telecom Commission  
(Vigilance II Section)  
West Block No.1 , Wing No. 2,  
Ground Floor, R.K. Puram,  
New Delhi.
3. Chief General Manager, U.P.(W),  
Telecom Circle, M.D.A. Building,  
Meerut.
4. General Manager, Telecom Division  
Ghaziabad.

....Respondents.

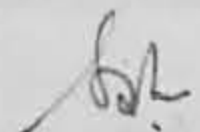
(By Advocate : Shri Saumitra Singh)

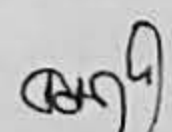
O R D E R

By Hon'ble Mr. Justice S.R. Singh, V.C. :

The applicant was placed under suspension under Rule 19 of the Central Civil Services (Classification Control & Appeal) Rules, 1965 vide order dated 7.1.2001 due to the reason of his involvement in a criminal case in which he was detained in custody on 4.1.2001 for a period exceeding 48 hours. It appears that in the criminal case, the applicant was sentenced under Section

13(2) read with 13(1) of prevention of Corruption Act 1988 for imprisonment for a period of one year and a fine of Rs.1000/- and in default of payment, he was ordered to undergo simple imprisonment for a period of three months. Both the sentences shall run concurrently. On the basis of the punishment, the applicant has been served with the O.M. dated 15.6.2004 giving him the liberty to make a representation on the penal action proposed by means of the said O.M. dated 15.6.2004. The decision in the case of Jagtar Singh Vs. State of Punjab & Another reported in 1989 (5) SLR 109 relied upon by Sri Mandhyan, counsel for the applicant, may be cited by the applicant in his representation in response to the impugned O.M. The said decision is not relevant at this stage, for that was a case of dismissal from service, whereas the present case is directed only against the O.M. dated 15.6.2004 calling upon the applicant to have <sup>to</sup> say on the proposed punishment. We find no good ground for interference at this stage. The O.A. is dismissed without prejudice of the applicant to the right/to make a representation within a period of 15 days if final <sup>decision</sup> ~~order~~ has not already been taken. Parties are directed to bear their own costs.

  
MEMBER (A)

  
VICE CHAIRMAN

GIRISH/-