

**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No.61/9163/2020
(S.W.P. No.1773/2007)

Wednesday, this the 13th day of January, 2021

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

Surinder Pal, s/o Shri Sat Pal,
R/o Mohd Peer Khana, Ward No.7,
Tehsil & District Samba, Age 51 1/2 years. ..Applicant

(Mr. S.S.Sahni, Counsel for the Applicant)

Versus

1. State of Jammu and Kashmir Through
Chief Secretary, Govt. Of Jammu & Kashmir,
Srinagar/Jammu.

2. Director of Handloom Development,
Kachi Chawani, Jammu.

3. Dy. Director of Handloom Development, Jammu.

4. General Manager, District Industries Centre,
Doda.

..Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

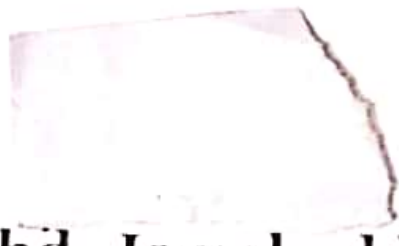
ORDER (ORAL)

Justice L. Narasimha Reddy:


The applicant was working as Weaver in the Establishment of Director of Handloom Development, Kachi Chawani, Jammu. He was placed under suspension through an order dated 07.02.1983. He filed SWP.No.1773/2007, challenging the order of suspension dated 07.02.1983 and prayed for reinstatement.

2. The applicant stated that he had to remain absent on account of his domestic problems and he could not file a Writ Petition in time on account of the death of his father in 1988.
3. The respondents filed a reply statement. It is stated that the applicant was placed under suspension on account of his unauthorized absence and shortly thereafter he was also issued a charge memo requiring him to explain as to why he shall not be removed from service. It is stated that the applicant did not respond to the same and as a result, an order of removal from service was passed on 20.06.1983. They also raised the plea as to limitation and laches.

4. We heard Shri S.S.Sahni, learned counsel for the applicant and Mr.Sudesh Magotra, learned Deputy Advocate General.
5. The Writ Petition was filed challenging the order of suspension dated 07.02.1983 about 22 years after the said order was passed. The applicant states that he was not aware of the fact that his services were terminated through an order passed on 20.06.1983. Though the said was mentioned in the reply, no steps were taken by the applicant seeking amendment of the Writ Petition or to file a fresh one. The suspension merged into the order of termination. Even otherwise, the question of reinstating the applicant, either in the year 2007 or at this stage, does not arise.
6. The TA has become infructuous and the same is accordingly dismissed. There shall be no order as to costs.



(Mohd. Jamshed)
Member (A)



(Justice L. Narasimha Reddy)
Chairman

January 13, 2021

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