

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/809/2021

This the 27th day of May 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)

Nikhil Gandral, Age 32 years, S/o Late Ravinder Kumar Gandral, R/o H. No. 24,
Lane 07, Greater Kailash, Jammu.

.....Applicant

(Advocate:- Mr. Ayushman Kotwal)

Versus

1. Union Territory of Jammu & Kashmir, through Commissioner/Secretary, Jal Shakti Department, Civil Secretariat, Jammu-180001.
2. Chief Engineer, Public Health Engineering Department, Jammu-180001.
3. Superintending Engineer, Public Health Engineering Department (Mech.), Urban Circle, Jammu-180001.

.....Respondents

(Advocate: Mr. Sudesh Magotra, learned D.A.G.)

**ORDER
[O R A L]**

(Delivered by Hon'ble Mr. Anand Mathur, Member-A)

The applicant was serving as Senior Assistant, Public Health Engineering (PHE) Department, Division City Ist Jammu in the year 2019. The applicant was suspended vide order dated 06.12.2019 issued by the Chief Engineer, Public Health Engineering Department, Jammu. Pursuant to the suspension of the applicant, the Police Station Crime Branch, Jammu registered a FIR No. 02/2020 dated 16.01.2020. The Commissioner/Secretary to Government, Jal Shakti Department, initiated departmental inquiry against the applicant vide Memorandum bearing No. PHE, I&FC/HRM/740/2019





dated 29.09.2020 and the same is pending till date. The applicant as per the direction issued in the aforementioned suspension order, is reporting in the office of the Superintending Engineer, PHE (Mech.) Urban Circle, Jammu, since his suspension on 06.12.2019. The grievance of the applicant is that till date he has not been paid any subsistence allowance by the respondents despite several requests made by him for payment of the same.

2. We have heard Mr. Ayushman Kotwal, learned counsel for the applicant and Mr. Sudesh Magotra, learned D.A.G. for the respondents and perused the records.

3. We are of the view that there is no use keeping the O.A. pending and the same can be disposed of by directing the respondents to release the subsistence allowance to the applicant within a stipulated time frame.

4. Accordingly, we dispose of the O.A. with direction to the respondents to release subsistence allowance, if due in favour of the applicant from the date of his suspension in accordance with law within a period of fifteen days from the date of receipt of certified copy of this order.

5. No order as to cost.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Manish/Shashi/Arun