

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/984/2021

This the 05th day of July 2021

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

Farooq Ahmed Bhat, Age 42 years, S/o Dawood Bhat, R/o Village Kathawa
Tehsil Thathri District Doda, Presently lodged in District Jail Ambphalla Jammu.

.....Applicant

(Advocate:- Mr. M.A. Bhat)

Versus

1. Union Territory of J&K through Commissioner Secretary to Govt. Education Department, Civil Secretariat, Jammu/Srinagar-180001.
2. Director School Education, Jammu-181205
3. Chief Education Officer, Doda-182202.
4. Zonal Education Officer Thathri-182203.

.....Respondents

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

**O R D E R
[O R A L]**

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

The case of Farooq Ahmed Bhat, the applicant is that while working as Teacher in the Education Department, he was placed under suspension after he was implicated in case FIR No. 42/2020 of Police Station, Pir Mitha, Jammu. The suspension order was passed by the respondent no. 3 vide his order no. CEO/D/MW/6809-12 dated 08.09.2020. The grievance of the applicant is that he has not been paid any subsistence allowance for the last 10 months. The applicant is also aggrieved by the inaction of the respondents of not reviewing the suspension order periodically.

2. Learned counsel for the applicant submits that the O.A. can be disposed of by directing the respondents to release the subsistence allowance in favour of the applicant



from the date he has been placed under suspension by respondent no. 3 and to review the suspension order periodically.



3. We have heard Mr. M A Bhat, learned counsel for the applicant and Mr. Sudesh Magotra, learned D.A.G. for the respondents and perused the records.

4. In the light of the facts and circumstances of the case, we dispose of the O.A. with direction to the respondents to release the subsistence allowance in favour of the applicant, if due, from the date the applicant has been placed under suspension in accordance with law. The respondents are also directed to review the suspension order periodically, as per rules and if permissible under law. This exercise shall be carried out within a period of three weeks from the date of receipt of a certified copy of this order.

5. No order as to costs.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun...