



Central Administrative Tribunal Principal Bench: New Delhi

O.A. No. 100/2020

This the 6th day of September, 2021

Through Video Conferencing

**Hon'ble Ms. Manjula Das, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Mr. Virender Singh,
Age about 45 years,
Post Social Security Officer, Group C,
S/o Sh. Hari Singh,
R/o House No.38, Ward No.5,
Bassa Para, Old Fardidabad,
Faridabad, Haryana-121002

(By Advocate: Mr. Shashank Deo Sudhi)

Versus

1. Union of India,
Through Secretary,
Ministry of Labour and Employment,
Shram Shakti Bhawan, Rafi Marg,
New Delhi-110001

2. Employees' State Insurance Corporation,
Panchdeep Bhawan,
Comrade Indrajeet Gupta, (CIG) Marg,
New Delhi – 110001.

3. Employees' State Insurance Corporation,
Regional Office Haryana,
Panchdeep Bhawan,
Sector-16, Faridabad,
Haryana-121002

...Respondents

(By Advocate: Mr. Krishan Kant Sharma)



ORDER (ORAL)

Hon'ble Ms. Manjula Das, Chairman

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief(s) :-

“(a)Allow the instant application by recalling/revoking of both the impugned orders of suspension and transfer dated 12.06.2019 in interest of justice to protect the interest of applicant.

And/or

(b) Pass any other order as this Hon'ble Tribunal may deem fit and proper in the circumstances of the present complaint.”

2. This matter is related to the suspension order dated 12.06.2019, by which the applicant was placed under suspension. However, Mr. Shashank Deo Sudhi, learned counsel for the applicant placed a copy of order dated 13.08.2021, by which the department has revoked the suspension order dated 12.06.2019 of the applicant w.e.f. 26.07.2021. The said order reads as under :-

“ORDER”

Whereas, Sh, Virender Singh, SSO (Emp.ID-135811) was placed under suspension w.e.f. 12.06.2019 vide Order of even number dated 12.06.2019.



NOW, the suspension of Sh. Virender Singh, SSO (Emp.-ID-135811) has been revoked by the Suspension Review Committee, Hqrs Office and conveyed to this office vide their Letter No.C-13/17/03/2019-Vig./1080 dated 26.07.2021 for revocation of the suspension with immediate effect under Sub-Rule 7 of Rule 10 of the Central Civil Service (Classification, Control & Appeal) Rules, 1965 read with Sub-Rule 5 of Rule 10 of ESIC (Staff & Conditions of Service) Regulation, 1959 (as amended).

The official shall be entitled for salary, pay and allowances as per rules and regulations.

The other service benefits viz. promotions, payment of arrears, increments and other payable allowance, dues etc. withhold during the period of suspension of the official shall be retained with this office and shall be cleared only after the finalization of the case as per existing rules and norms.

The aforesaid revocation order is a provisional order and the official shall not be construed as being exonerated/abstained from the charges leveled or decrease in severity/grievousness of the charges at any level/extent. The said order should be reviewed on its own motion and a final order shall be passed after the completion of the investigation at several channels.

The official shall be reporting to their concerned place of posting with the joining/acceptance letter in r/o the aforesaid order along with furnishing of a certificate by the official that he is/was not engaged in any other employment, business, profession or vocation during the suspension period.”



3. Thus, nothing remains to be done in this case, as the relief has already been granted to the applicant.

4. Accordingly, the OA is disposed of as having become infructuous.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Manjula Das)
Chairman

/lg/rk/dd