

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

....

Registration No. 1396(T) of 1987

Prem Ram

....

Applicant

Vs.

Union of India & Others

Respondents

Hon'ble Mr Justice U.C.Srivastava, V.C.

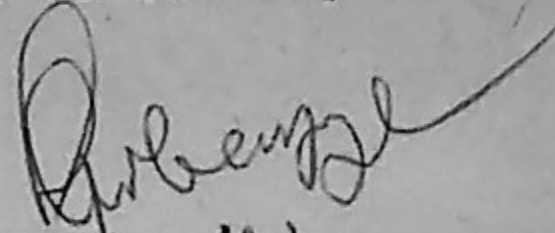
Hon'ble Mr. J.K. Chayya, Member (A)

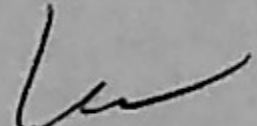
(By Hon.Mr.Justice U.C.Srivastava, V.C.)

This is an application is for a direction against the suspension order. The applicant was Deputy Conservator of Forests in the state of U.P. and was a Member of Indian Forest Services (I.F.S.)^{he} was suspended wide an order dated 4.4.1984 this order has been challenged in this application on variety of ground including that it was a malafide order and is clearly and outcome of annoyance and displeasure of the respondents and it has been passed against the principle of natural justice and fair play and against the provision of Rule 3(1) of All India Services (D&A) Rule 1969. Pleadings have been exchanged, The learned counsel for applicant stated that the applicant continued to work in view of the interim order passed by the High Court where this case was initially instituted and finally by means of transfer come to Tribunal. Later on the interim order was granted on 14.5.1984, thereafter the State Government passed a fresh order as well as charges on January, 1985, A Writ Petition against the same has been filed in the High Court Allahabad.

2. Learned counsel for the respondents stated that no written application has been moved but it is not possible for him to deny the statement which has been given by the learned counsel for the applicant as the application is the shape of black & white.

3. In view of the fact that after the fresh suspension order is passed the old suspension order automatically lapsed and it ^{existing} has no longer ~~to be existed~~ ^{but in order that} may not create any legal hurdle or ^{difficulty} difficulty in these circumstances the same ~~is~~ exists and is quashed. Accordingly this suspension order has already been quashed and the disciplinary proceedings started against the applicant which has not fully concluded although in the meantime he retired from service. With the above observation the application is disposed of finally no order as to costs.


Member (A)


Vice-Chairman.

1st Nov.1991, Alld

(sph)