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Reserved

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

ORIGINAL APPLICATION NO. 456 of 1987

Gopal ji Saxena ... applicant.

Versus

D.R.M. and others ... Respondents.

Hon'ble D.S.Misra-AM

Hon'ble G.S.Sharma-JM

( Delivered by Hon'ble D.S.Misra)

This is an application under Section 19 of the Administrative Tribunals Act, XIII of 1985 against the orders dated 29.1.1985 and 6.4.1985 passed by Senior Divisional Commercial Superintendent Northern Railway, Lucknow placing the applicant under suspension and issuing a show cause notice for imposition of minor penalties.

2. The applicant while working as Chief Parcel Clerk was placed under suspension w.e.f. 26.1.1985. The order of suspension of the applicant was revoked w.e.f. 18.7.85 and the applicant was put on duty w.e.f. 27.8.85. The applicant has claimed full wages for the period of his suspension in accordance with the instructions contained in the Department of Personnel and Training Letter no. 11012/15/85-Est.A dated 3rd December, 1985, copy available as annexure-10 to the petition. We have gone through this letter and we find that this letter provides that the period of suspension shall be treated as duty, if only a minor penalty is imposed after conclusion of the disciplinary proceedings. In the

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present case the applicant has already received a notice for imposition of minor <sup>by</sup> penalties and no orders subsequent to this have been passed. In view of this, the application for payment of full salary for the period of suspension is premature. The applicant has also sought cancellation of the order of suspension dated 29.1.1985. Since this order has already been revoked by an order dated 18.7.1985, the relief sought has become infructuous.

The application is dismissed summarily, without any order as to costs.

A.M.  
26.5.87

J.M.

26.5.87  
JS.

26/5/87