

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Original Application No. 1243 of 1993

Chhedi Lal

.... Petitioner

Versus

Union of India and Ors

.... Respondents

HON'BLE MR. JUSTICE R.K. VARMA, V.C.

HON'BLE MISS. USHA SEN, MEMBER (A)

( By Hon. Mr. Justice R.K. Varma, V.C. )

By this petition filed Under Section 19 of the Administrative Tribunals Act 1985 the petitioner has sought a direction to the respondents to recall/revoke the suspension order dated 25.8.88 with all consequential benefits and a further direction to complete the departmental proceedings within a time-bound period.

2. The petitioner was working as Senior Section Officer in Accounts branch under the control of Respondent No. 3, Senior Divisional Accounts Officer, Northern Railway, ~~and~~ Divisional Railway Manager's Office, Allahabad. On 25.8.88 the petitioner was placed under suspension without assigning any reason. The Enquiry officer has been appointed on 31.5.93 and even after more than 240 days have elapsed, no progress has been made in the enquiry.

3. The petitioner in Para 4.18 of his petition has stated that in the similar circumstances with identical charges in the same occurrence another S.O. (Accounts)

namely Sri V.N. Malviya was also suspended on the very date on which the petitioner has been suspended and that this Tribunal in the case of Sri V.N. Malviya O.A. No. 1818/92 dated 2.2.93 (Annexure 10 to the petition) has directed the respondents to complete the disciplinary proceedings within a period of four months from the date of receipt of a copy of that order and it has been further directed that the petitioner shall co-operate with the respondents for an early and expeditious conclusion of the disciplinary matter and in case the disciplinary proceedings are not completed within the time stipulated for reasons not attributable to the petitioner, the suspension order shall cease<sup>rw</sup> to be in operation and the petitioner will be deemed to be in service, entitled for pay and allowances which he would be entitled to, in the event of revocation<sup>rw</sup> of the suspension order.

4. The learned counsel for the petitioner prays for similar relief in this case and the counsel for the respondents has no objection to the same.

5. Accordingly, it is directed that the respondents shall complete the disciplinary proceedings within a period of four months from the date of receipt of a copy of this order. The petitioner shall co-operate with the respondents for early and expeditious conclusion of the disciplinary matter. In case the disciplinary proceedings are not completed within the time stipulated for reasons not attributable to the petitioner, the suspension order shall cease<sup>rw</sup> to be in operation and the petitioner will be deemed



to be in service, entitled for pay and allowances which <sup>he</sup> ~~he~~ would be entitled in the event of revocation of suspension order.

6. This petition is disposed of with the direction as above.

7. There will be no order as to costs.

*Ull*  
Member (A)

*R.K. Vane*  
Vice Chairman

Dated: April..18.. 1994

Uv/