

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

Original Application No: 11114 of 1993

Indrajit Das Applicants.

Versus

Union of India & Ors. Respondents

Hon'ble Mr. S. Das Gupta, Member-A
Hon'ble Mr. T.L. Verma , Member-J

(By Hon'ble Mr. T.L. Verma, I.A.S.)

1971 HOW SEC WHE 1028 VELIND, J.M. (

This application has been filed for a direction to the respondents to complete departmental proceedings initiated against the applicant by serving chargesheet dated 23/26.5.1988 and to revoke the suspension order with immediate effect.

2. The applicant, who was working as Accounts Clerk in the Northern Railway, was put under suspension w.e.f. 29.2.1988. Thereafter a chargesheet was served on him on 26.5.1988. It is alleged that the applicant while working as Accounts Clerk in the establishment section of Senior DAO's Northern Railway, Allahabad tampered with the amount charged in the bill of Loco Foreman, Northern Railway Allahabad passed in 'C' tour of Loco Foreman and inflated the amount as shown in Annexure A-1 intentionally and for his personal gains. It appears that a criminal case was also instituted against the applicant and others involved in the alleged defalcation of Rs. 2 Lakhs 90 Thousand.

3. The departmental proceeding, it seems has been put in abeyance pending submission of chargesheet by the C.B.I. The C.B.I. has not yet submitted

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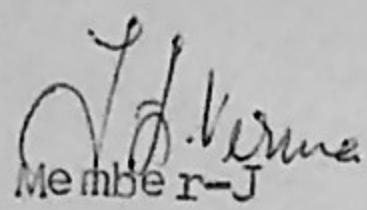
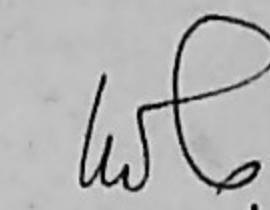
chargesheet although more than 5 years have elapsed since the institution of the case and that the applicant has not been reinstated despite representation made by him. It has further been stated that one V.N. Malviya, who ^{was} also put under suspension in connection with the alleged defalcation along with the applicant, filed O.A. No. 1818/92 in this Tribunal with similar prayer and his case has been finally decided vide judgement dated 2.2.1993 (Annexure A-4 at page 17). This Tribunal directed the respondents to complete the disciplinary proceedings within a time schedule and in case the disciplinary proceeding is not completed within the stipulated time for reasons not attributable to the applicant, the suspension order shall cease to be in operation and the applicant shall be deemed to be in service and will be entitled to pay and allowances which he would be entitled to in the event of revocation of the suspension order.

4. The case of the applicant being on similar footing, we feel inclined to issue similar directions in this O.A. also. We accordingly, allow this application and direct the respondents to complete the disciplinary proceedings within a period of 4 months from the date of receipt of a copy of this order. The applicant shall cooperate 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

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to the applicant, ~~the~~ the suspension order shall cease to be in operation and the applicant is deemed to be in service, entitled for pay and allowances, which, he would be entitled to in the event of revocation of the suspension order.

The application is disposed of with the above directions. No order as to the costs.


Member-J
Member-A

Allahabad Dated: 21.3.94

/jw/