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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 490 of 2000

Allahabad this the 18th day of April, 2001

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Surendra Rai, aged about 59 years, S/o Late Sri  
Siddha Nath Rai, C/o Dr.Rajendra Pradhan, Brahmanand  
Colony, Durga Kund, Varanasi. Applicant

By Advocate Shri H.S. Srivastava

Versus

1. Union of India, through the Chairman, Railway Board, New Delhi.
2. The General Manager, North Eastern Railway, Gorakhpur.
3. The Divisional Railway Manager(Operation), North Eastern Railway, Varanasi.
4. The Divisional Manager(Personnel), North Eastern Railway, Varanasi. Respondents

By Advocate Shri A.K. Gaur

O\_R\_D\_E\_R ( Oral )

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Shri Surendra Rai has come up through this O.A. seeking relief to the effect that the suspension order dated 02.9.99 annexure A-1 be quashed and the respondents be directed to take the applicant on duty and also to direct the respondents to treat the suspension period as on duty and make payment of full pay with allowances. A

*See*

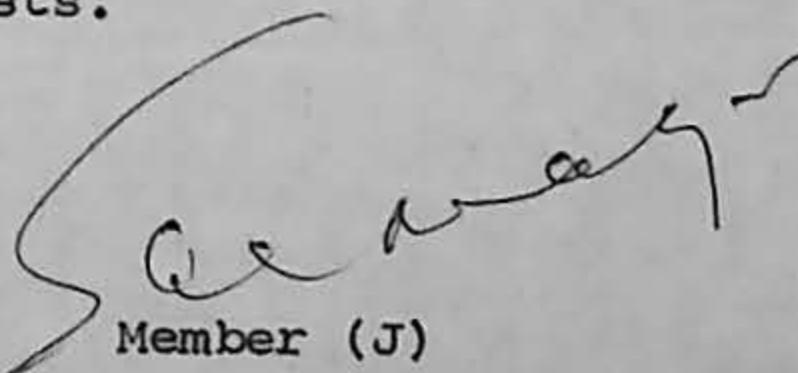
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2. As per applicant's case while he was posted as Instructor in Training Centre, N.E.Railway, Maduadih, he was served with suspension order dated 09.2.99 which refers that the disciplinary proceedings are contemplated against him and he was paid subsistence allowance at the rate of 50% of his pay last drawn. Being not satisfied with the position, he has come up before the Tribunal seeking above reliefs.

3. During the course of arguments, Shri H.S. Srivastava mentions that now the suspension order has been revoked and the applicant has been taken on duty and, therefore, relief sought in para-8(i) is no more alive. Regarding the other relief sought for in respect of regularisation of suspension period is concerned, any order in this respect will amount to interference in the jurisdiction of disciplinary authority. Therefore, it cannot be granted at this stage.

4. For the above, both the reliefs sought for, cannot be redressed and the O.A. is dismissed accordingly. No order as to costs.

  
Member (J)

| M.M. |