

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD.**

TUESDAY, THIS THE 13TH DAY OF MARCH, 2007.

QUORUM: HON. MR. P.K. CHATTERJI A.M.

ORIGINAL APPLICATION NO. 1147 OF 2006.

Manoj Kumar Gupta-II, Son of Shri Son of, Shri Rajendra Prasad, Resident of, Raj Colony, behind J.V. Jain Inter College, Kalasiya Road, District Saharanpur.

..... Applicant.

Counsel for applicant : Shri V.K. Upadhyay.

Versus

1. The Union of India through the Secretary, Ministry of Communication, Department of Post, Dak Tar Bhawan, Parliament Street.
2. The Senior Superintendent of Post Offices, Saharanpur.

..... Respondents.

Counsel for Respondents : Shri R.K. Srivastava.

ORDER

The applicant was placed under suspension on 4.8.2006. He made a representation for revocation of suspension on 7.8.2006. The applicant is aggrieved that his representation has not been decided by the Respondents and no reply has been given, nor have the Respondents reviewed the suspension order within a maximum period of 180 days, which is a statutory requirement. In the Counter Affidavit, which has been furnished by the Respondents, it has been stated that the applicant is one of the five officials, who have been involved in a Saving Bank related fraud, which has caused the department to lose a huge sum exceeding Rupees one crore. The preliminary inquiry has revealed involvement of the applicant in the case. Therefore, they are justified in suspending the officials and after a C.B.I. inquiry, which is underway, disciplinary proceedings should be initiated against the officials.

2. The Respondents have not stated, ^{as to why} ~~that~~ no reply has been given for considering the representation of the applicant dated 7.8.2006 and also ^{why} ~~the~~ the mandatory review of the suspension has been done.

[Signature]

3. The Original Application is disposed of with the direction that the Respondents will take following action within a period of one month from the date of receipt of a certified copy of this order :-

- A. Review the suspension order dated 4.8.2006 and will take appropriate decision and issue suitable orders.
- B. Consider the representation of the applicant dated 7.8.2006 for revocation of suspension, take appropriate decision and communicate the same to the applicant.

4. With the above directions, this O.A. is disposed of with no orders as to costs.

M. A. M.

A.M.

Asthana/