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(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

ALLAHABAD this the 22ND day of August, 2006.

HON'BLE MR. A.K. BHATNAGAR, MEMBER- J
HON'BLE MR. A.K. SINGH, MEMBER- A

ORIGINAL APPLICATION NO. 564 OF 2006

Sriniwas Dubey, S/o Sri Kailash Nath Dubey
R/o Vill. Sonaharia, Post- Chochakpur,
Distt. GhazipurApplicant.

V E R S U S

1. Union of India through General Manager,
N.E. Railways, Gorakhpur.
2. Divisional Commercial Manager-I,
N.E. Railway, Varanasi.
3. Divisional Railway Manager (Personnel),
N.E. Railway, Varanasi.
4. Station Superintendent,
N.E. Railway, Ballia.

.....Respondents

Present for the Applicant:	Sri Anoop Trivedi
Present for the Respondents :	Sri P.N. Rai

O R D E R

BY HON'BLE MR. A.K. BHATNAGAR, J.M.

By this O.A the applicant has challenged the impugned order dated 03.01.2006 passed by the Divisional Commercial Manager (I), N.E. Railway, Varanasi placing the applicant under suspension. Respondents in this OA have filed Counter Affidavit on 21.8.2006 after serving a copy of it to the counsel for the applicant. Thereafter the

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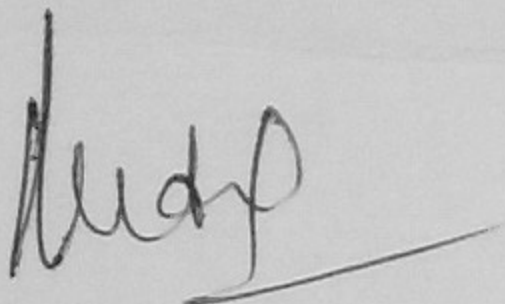
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case was listed for today so that the Counter Affidavit filed by the respondents be placed alongwith the file.

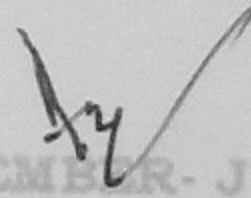
2. At this stage, Sri P.N. Rai, counsel for the respondents invited our attention to paragraph 8 and 11 and submitted that the applicant though was placed under suspension as he was prima facie found involved in sell of forged tickets. Thereafter a vigilance enquiry was conducted on 23.12.2005. However, during the enquiry proceedings, the involvement of the applicant was not clearly established, as such the suspension of the applicant was revoked vide order dated 21.06.2006, as specifically stated in paragraph 11 of the Counter Affidavit. Counsel for the applicant has also conceded this fact. Therefore, the revocation of the suspension order has rendered the present O.A as infructuous.

3. Accordingly the O.A is dismissed as having become infructuous. However, since the suspension order is revoked, therefore, the applicant shall be entitled for full wages available to him under the rules.

4. No order as to costs.



MEMBER- A.



MEMBER- J.

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