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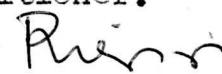
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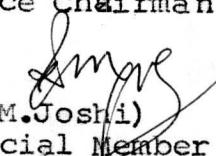
Coram : Hon'ble Mr. P.H. Trivedi : Vice Chairman  
 Hon'ble Mr. P.M. Joshi : Judicial Member

1/11/1988

Heard Mr.K.K.Shah and Mr.N.S.Shevde learned advocates for the applicant and the respondents. The respondent has not filed any reply on admission and on interim relief. The petitioner's case is that on his joining at Sabarmati in compliance of the order dated 2/8/1988 he was placed under suspension from 1/8/1988. No memorandum of charges has been yet issued to him as is required under rules within three months of the date of placement under suspension. The petitioner has already filed an appeal and it is pending. In these circumstances, it will be appropriate to direct as follows:

The petitioner first should exhaust his remedy before the appellate authority and in the meantime until the disposal thereof, the respondent not having given any reply and not having issued any memorandum of charges the petitioner be protected by interim relief against the order of suspension dated 1/8/1988 which order is not implemented. The petitioner is free to approach the Tribunal ~~in the forum of the Tribunal~~ if he has any cause left after the disposal of the appeal. With this direction and observation, the case is disposed of. Direct service on respondent No.2 may be permitted at the request of the learned advocate for the petitioner.

  
 (P.H.Trivedi)  
 Vice Chairman

  
 (P.M.Joshi)  
 Judicial Member