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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH CUTTACK

Original Application No.731 of 1993

Date of Decision 6.1.1994

Kishore Ch.Nayak Applicant (s)

Versus

Union of India & Others Respondent (s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? NO
2. Whether it be circulated to all the Benches of NO
of the Tribunals or not ?

by 6-1-94.
VICE-CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL
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Date of Decision: 6.1.1994

Kishore Ch.Nayak Applicant (s)

Versus

Union of India & Others Respondent (s)

For the applicant M/s. Deepak Mishra
A. Deo, Panda,
B.S. Tripathy,
D.K. Sahoo,
Advocates

For the respondents Mr. Akhaya Mishra
Standing Counsel
(Central)

C O R A M:

THE HONOURABLE MR. K. P. ACHARYA, VICE-CHAIRMAN

JUDGMENT

MR. K. P. ACHARYA, VICE-CHAIRMAN: Prayer of the petitioner Shri Kishore Ch.Nayak is for a direction to the opposite parties to pay subsistence allowance to him during the period of suspension. The matter being very simple in nature, it was not thought fit and proper for filing of the counter and to keep the matter unnecessarily pending.

2. I have heard Mr. B.S. Tripathy, learned counsel for the petitioner and Mr. Akhaya Mishra, learned Standing Counsel. In the past, ⁱⁿ a number of cases the Division Bench has ordered payment of subsistence allowance following the view taken by the Bangalore Bench and the Madras Bench. Being bound by the view of ~~different Benches~~ of the Tribunals and also this Bench, I would direct the opposite parties to pay subsistence allowance to the petitioner during the period the petitioner was put under suspension. The amount be calculated and paid to the petitioner ~~during~~ ^{while} the period the petitioner was actually

Now,

put under suspension) within 90 days from the date of receipt of a copy of this judgment. Thus the application is accordingly disposed of. No costs.

B.K. Sahoo
6.1.94.
VICE-CHAIRMAN

Central Administrative Tribunal
Cuttack Bench Cuttack
dated the 6.1.94/B.K. Sahoo