

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

ORDER DATED 14-05-2003.

This Original Application, has been filed by Shri Raghunath Jena, under section 19 of the Administrative Tribunals Act, 1985 seeking for a direction to the Respondents to treat his period of suspension as duty for all purposes.

we have heard Mr.D.P.Dhalsamant, learned Counsel for the Applicant and Mr.A.K. Bose, Learned Senior Standing Counsel appearing for the Respondents and perused the records.

As it appears, applicant while working as General Store Keeper of postal printing press, Bhubaneswar was placed under suspension w.e.f. 23.5.1995(Annexure-1) on contemplation of disciplinary proceedings.

As has been admitted by the Applicant in his Original Application and disclosed by the Respondents in their counter, the said order of suspension was revoked on the representation of the Applicant and the applicant resumed his duty on 14.5.1996. It has been submitted by the Senior Standing Counsel during his oral submission that how the period of suspension will be treated would be decided by the disciplinary authority after conclusion of the disciplinary case against a Govt. servant.

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as laid down under FR 54-B. But none of the parties are in a position to clarify the stage of the proceedings initiated against the applicant. We, therefore, believe that the disciplinary must have been concluded by now and if so, then the disciplinary authority could have issued necessary orders treating the period of suspension of the applicant under FR-54B. In case the disciplinary case has not yet been concluded or the disciplinary authority had not passed any order treating the period of suspension of the applicant, we hereby direct the disciplinary authority to complete the disciplinary proceedings within a period of 90 days from the date of receipt of a copy of this order and also to issue necessary orders determining the status of the period of suspension of the applicant from 23.5.1995 to 14.5.1996.

With the above observations and directions, this OA is disposed of. No costs.

~~(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)~~

~~(B.N.SOM) 14/5
VICE-CHAIRMAN~~

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