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ORIGINAL APPLICATION NO. 251 OF 2005.

ORDER DATED: 03-06-2005.

Heard Mr. K.C. Kanungo, learned counsel appearing for the Applicant and Mr. Giridhari Singh, learned Additional Standing Counsel for the Union of India; on whom a copy of this O.A. has already been served and perused the office note. Since this case is being disposed of at this admission stage, defects pointed out by the Registry is hereby ignored and the Registry is hereby directed to register this case and assign an O.A. number.

J. Kanungo
03/06/05

MEMBER(JUDICIAL)

ORDER DATED : 03-06-2005.

Heard Mr. K.C. Kanungo, learned counsel appearing for the Applicant and Mr. Giridhari Singh, learned Additional Standing Counsel for the Union of India and perused the materials placed on record. It is the case of the Applicant that he was placed under suspension on 17.7.2003 and is being paid 50% of his last pay as Subsistence Allowance. It is alleged in this case that the suspension matter has not yet been reviewed and, that, no step has yet been taken to enhance/reduce the

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Subsistence Allowance. It has further been submitted by the learned counsel for the Applicant that had the matter been properly reviewed, as per the Rules, he would have been reinstated. It is the positive case of the learned counsel for the Applicant that since the reasons for prolongation of the departmental proceedings is not attributable to the Applicant, the S.A. ought to have been enhanced. It is also the case of the Applicant that his representation with prayer for review of his S.A. and for enhancement of the S.A. have not yet been received due consideration of the Authorities/Respondents.

In the aforesaid circumstances, without wasting any time, this Original Application is disposed of with direction to the Respondents to consider the grievances of the Applicant as raised in his representation annexed to this O.A. within a period of sixty days from now under intimation to the Applicant.

Send copies of this order, along with copies of the O.A., to the Respondents and free copies of this order be handed over to learned counsel for both sides.

Copins & others
gr. 03-06-05 sent
in all respects
along with Copins
& OA

~~Send~~ copies of
said order handed
over to both
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MEMBER(JUDICIAL)

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