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O.A. No. 480/08

ORDER DATED 4TH DECEMBER, 2008

Coram:

Hon'ble Shri Justice K. Thankappan, Member (J)

Hon'ble Shri C.R. Mohapatra, Member (A)

Heard Mr. M.K. Das, Ld. Counsel for the applicant
and Mr. D.K. Behera, Ld. Addl. Standing Counsel for the
Respondents.

2. This Original Application has been filed by the applicant for a direction to the Respondents to regularize the period of suspension of the applicant, i.e. from 16.06.05 to 26.10.07. Admittedly, the applicant was under suspension under Rule 10 of the CCS (CCA) Rules, 1965, as he was arrested and detained in the Jail. However, subsequently the suspension was revoked when he was released by the Criminal Court. The applicant had earlier approached this Tribunal by filing O.A. 625/06 and during the pendency of that O.A. the order of suspension was revoked. ~~However,~~ ^b The present case of the applicant is that though his suspension was revoked, the period of suspension has not been considered by the authorities either to be regularized or otherwise. In the above circumstances, the applicant approached this Tribunal. After having considered the contentions raised in the O.A. and after hearing Mr. M.K. Das, Ld. Counsel for the applicant and Mr. D.K. Behera, Ld. Addl. Standing Counsel for the Respondents, we are of the view that this O.A. can be disposed of by directing the Respondents to consider Annexure-A/4 representation

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within a reasonable time on considering the grounds urged therein and also taking into account the grounds urged before this Tribunal in this O.A. Hence, we dispose of this O.A by directing the Respondent No.3 to consider Annexure-A/4 representation dt.04.09.08 within 60 days of the receipt of the copy of this order. It is also directed that the applicant shall produce copy of this Original Application with all other documents before Respondent No.3 for compliance.

With the above observation and direction this O.A is disposed of.

hant
Member (A)

Thankappan
MEMBER (J)

ORDER DATED:.....

06.01.09

CORAM:

HON'BLE MR. JUSTICE K. THANKAPPAN...MEMBER(J)

AND

HON'BLE MR. C. R. MOHAPATRA...MEMBER(A)

Heard Ld Counsel for the Applicant. There is no error on the order passed by this Tribunal. M.A. is mis-conceived. Hence it is dismissed, without prejudice to the applicant to take his case as per law.

hant
Member (A)

Thankappan
Member (J)