

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 03.07.1998

O.A. No. 156/1998

Umrao Singh son of Shri Mool Chand aged 46 years working as Goods Marker, Hanumangarh Junction, Resident near Central Jail, Hanumangarh Junction (Rajasthan).

... Applicant.

v e r s u s

1. Union of India through General Manager, Northern Railway, Headquarter Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Bikaner - 334 001
3. The Divisional Personnel Officer, Northern Railway, Divisional Office, Bikaner - 334 001
4. The Assistant Personnel Officer, Northern Railway, Divisional Office, Bikaner - 334 001
5. The Senior Labour Welfare Inspector, Northern Railway, Hanumangarh Jn.

... Respondents.

Mr. Bharat Singh, Counsel for the applicant.

CORAM:

Hon'ble Mr. A.K. Misra, Judicial Member.

Hon'ble Mr. Gopal Singh, Administrative Member.

PER HON'BLE MR. A.K. MISRA:

The applicant, who is working as Goods Marker at Hanumangarh Junction, has filed this application with the prayer that the period of his suspension starting from 31.12.1983 to 11.3.1989 be directed to be regularised by the respondents and all the consequential benefits be allowed to him.

2. From the O.A. it appears that the applicant was put under suspension on 31.12.1983 because of a Criminal Case under Section 302 I.P.C. in which the applicant was facing prosecution. The applicant remained suspended

3/11

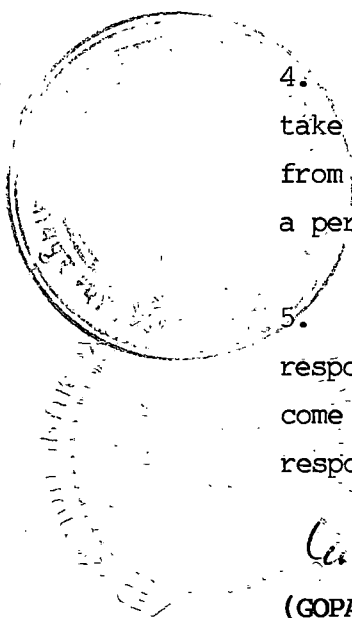
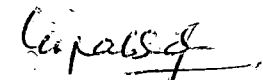
Contd... 2 ...

upto 11.3.1989. It is alleged by the applicant that vide judgement dated 30.9.1993 (Annexure A/3) pronounced in the Session Case No. 15/84, he was acquitted. Thereafter, he was taken on duty. But in spite of his representation, the period of suspension has not been regularised by the respondents as per para 1345 (6) of Indian Railway Establishment Code, Volume - II (for short, IREC Vol-II). The representation (Annexure A/4) dated 1.11.1997 of the applicant made in this behalf is said to be still pending with the respondents.

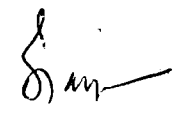
3. At this stage, the learned counsel for the applicant prays only for a direction to the respondents to pass order in respect of the period of suspension in terms of para 1345 (6) of IREC Vol-II. We have considered the prayer. The case can be disposed of as prayed for at the stage of admission.

4. The O.A. is, therefore, accepted. The respondents are directed to take decision in respect of suspension period of the applicant beginning from 31.12.1983 to 11.3.1989 in terms of para 1345 (6) cited above, within a period of two months from the date of communication of this order.

5. Copy of the O.A. alongwith a copy of this order be sent to the respondents for taking necessary action. The right of the applicant to come to the Court in case he is aggrieved by the decision of the respondents is kept open. No order as to costs.



(GOPAL SINGH)
Adm. Member

cvr.


(A.K. MISRA)
Judicial Member

Received copy

Inchon Ky / 10/7/98

Copy of order
OA & MA, along with
~~Sent to~~
OA & MA petition
with Annexure.
Sent to R/1 to R/5
by Regd AD
vide no 2636267
dt 13-7-98

ml
10/7/98

Part II and III destroyed
in the presence of on 29.3.2006
under the supervision of
section () as per
order no 2812/2006

Officer (Record)