

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH, JODHPUR

I/s

ORDER SHEET

(O. APPLICATION NO. 341 OF 2002)

Applicant(s)

Respondent(s)

Advocate for

Advocate for

Applicant(s)

Respondent(s)

Notes of the Registry

Orders of the Tribunal

27-5-2003

Mr. Kamal Dave counsel for the applicant
Mr. S. M. Toshniwal counsel for respondents

Through this OA, the applicant calls in question the order Annexure A-1, dated 23-10-99, whereby he was placed under suspension and also the order Annexure A-2, dated 29-10-99, whereby his headquarter was changed.

It is averred that along with the applicant one Shri Amit Shrivastava was also placed under suspension and a joint enquiry was ordered and thereafter the suspension order of Shri Amit Shrivastava has been revoked but the applicant has not been reinstated as yet. According to the averments made in the application there is hostile discrimination and the fundamental right of the applicant has been violated.

In the counter, the respondents case is that on the allegations of misconduct, the applicant has been placed under suspension and there is no malice on the part of the respondents when he has not yet been reinstated.

Learned counsel for the applicant says that he does not press the relief, so far as the quashing of the order dated 29-10-99 (Annexure A-2) is concerned. He further says that as per rules, the case of the applicant should be reviewed time to time but it has not been done in the case of the applicant.

It is seen that the suspension order was passed in the year 1999. It is desirable that the case of suspension should be reviewed time to time as per rules. It is a fit case where the respondents should be directed to review the matter of suspension of the applicant.

Consequently, the respondents are directed to review the matter of suspension of the applicant and inform the decision taken in the matter to the applicant.

The application stands disposed of. No order as to costs.

(Signature)
(A. C. Sinha)
Member (A)

(Signature)
(A. L. Gupta)
Vice Chairman

Part II and III destroyed
in my presence on 13/11/09
under the supervision of
section officer (I) as per
order dated 5/2/08

(Signature)
Section Officer (Records)

Copy of order at 27-5-03
sent to court for filing
By Regd. 13/11/09
4-6-03
4-6-03
4-6-03