

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

Original Application Nos.209/2009

Date of decision:25.02.2010

Hon'ble Mr. Justice Syed Md Mahfooz Alam, Judicial Member.

Hon'ble Mr. V. K.Kapoor, Administrative Member.

Sunil Kumar Jha, s/o Shri G.k. Jha aged about 42 years, resident of D-57 Chandra Nagar, Near DA V School Ghaziabad (UP) 201011 at present employed on the post of Dy. Director (Under deemed suspension) in the office of Director General Doordarshan, Mandi House, New Delhi 110 001

: applicant.

Rep. By Mr. J.K. Mishra

: Counsel for the applicant.

Versus



1. Union of India through Secretary to the Govt. of India, Ministry of Information and Broadcasting, 'A' Wing Shastri Bhawan, New Delhi.
2. Director General, Prasar Bharti (Broadcasting Corporation of India), Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi 110 001.

: Respondents.

Rep. By M. Godara proxy counsel for
Mr. Vinit Mathur,

: Counsel for the respondents.

ORDER

Per Mr. Justice S.M. M. Alam, Judicial Member.

This O.A has been preferred by one Sunil Kumar Jha, working on the post of Deputy Director (under suspension) in the office of Director General Doordarshan, Mandi House, New Delhi, seeking the following reliefs:

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- (i) That impugned memo dated 08.09.2009 (Annex. A/2) may be declared illegal and the same may be quashed. The respondent may be directed to allow all consequential benefits to the applicant.
 - (ii) That respondent may be directed to treat the period of suspension from 27.06.2009 and onwards as invalid and the applicant may be allowed full pay and allowances for the same impugned suspension order dated 08.09.2009 (annex. A/1) may be quashed.
 - (iii) That any other direction or order may be passed in favour of the applicant which may be deemed just and proper.
 - (iv) That the costs of this application may be awarded.

2. During course of hearing it was brought to the notice of this Court that controversy involved in this case has already been settled by order dated 21.01.2010, passed by this Bench of the Tribunal in O.A. No. 224/2009, in the case of **Dhan Singh Deora vs. UOI and ors.** Learned counsel of the respondents also agreed that similar order as given in O.A. No. 224/2009 can be passed in this case.

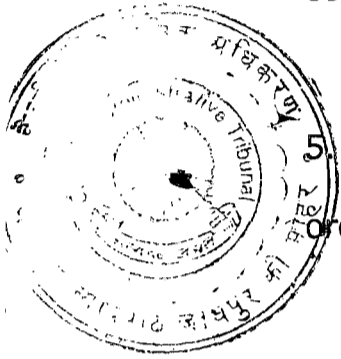


We have gone through the contents of this O.A as well as the facts of case in O.A. No. 224/2009. We are of the view that this case is fully covered by the order passed in O.A. No. 224/2009 and as such similar order can be passed in this case.

4. Under the circumstances we pass the following order in this case:

In the circumstances, this O.A is disposed of at the admission stage with the observation that the same is premature and so not maintainable. However, the applicant is given liberty to file representation before the Disciplinary Authority within one month from the date of this order in connection with the memorandum

Annex. A/2, if he so desires. ⁻³⁻ It is further observed that if any such representation has been filed, respondents shall dispose of the same after due consideration within three month from the date of filing of the representation without being prejudiced by this order. It is further observed that the order of maintaining status quo dated 09.10.2009 stands vacated.



5. In the facts and circumstances of this case, there will be no order as to costs.

[V.K. Kapoor]
Administrative Member

[Justice S.M.M. Alam]
Judicial Member.

Jsv.