

H/10

CENTRAL ADMINISTRATIVE TRIBUNAL JODHPUR BENCH

**O.A.No. 111 of 2010 with M.A. 90/2010.
JODHPUR THIS IS THE 19th DAY OF AUGUST, 2010.**

CORAM:
HON'BLE DR. K.B.SURESH, MEMBER (J)

Brij Mohan Swaroop S/o Late Shri Ram Swaroop, by caste Jatav, aged about 59 years, Resident of T 176 C, D.S. Colony, Jodhpur (Post – Chief Reservation Supervisor at Jodhpur, North Western Railway, Jodhpur).

.....**Applicant.**
[Mr. Sukhesh Bhati, Advocate, for applicant]

Vs.

- 1- Union of India through the General Manager, North Western Railway, Jaipur (Raj).
- 2- The Divisional Railway, North Western Railway, Jodhpur (Raj).

The Senior Divisional Commercial Manager, North Western Railway, Jodhpur (Raj).

.....**Respondents.**

[Mr. Kamal Dave, Advocate, for respondents].

ORDER
[BY THE COURT]

Heard the learned Counsel for both sides.

2- The applicant, who is Chief Reservation Supervisor, in North Western Railway, Jodhpur, complains that for the reasons which are not existent, he had been suspended vide order dated 23rd October, 2009 (Annex.A/1) and that is the result of malice. Allegation was that he had taken Rs. 700/- as a Bribe following a trap led by the Central Bureau of Investigation and also his conversation in the tap-recorder was recorded. His case would be that even according to the transcription of the conversation of voice in the tape-recorder it would show that the money taken,

[Signature]

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was for purchase of something from a canteen and the applicant did not insist for any sum. The concerned person, who was the complainant had entrusted money to him for purchase of things from the canteen and which is clear from the conversation recorded by the CBI according to him, but, by putting wrong impression of the conversation, he is suspended. He also cited several reasons for the official malice against him. On 2nd July, 2010 this Court had directed the Senior Divisional Commercial Manager, to hear the applicant in person on his representation for review of the suspension and decide whether suspension is to be revoked or not in the circumstances of this case. When the case was taken- up today, Sh. Kamal Dave, the learned Counsel for the respondents would submit that after hearing the applicant as per directions given by this Tribunal, the concerned Officer had decided to revoke the suspension and thereupon, the suspension was revoked. Since the order Annex.A/1 has already been set- aside by the respondents themselves, no further cause remains in this Application, as he has already been reinstated, other than to hold that he is entitled to all back wages and consequential benefits which shall be, if not already paid, paid to him within one month from today. The O.A. is allowed as above. Since the O.A. itself has been closed, the M.A. No. 90/2010 moved by the applicant for taking documents on record and for interim relief, stands dismissed.

3- No order as to costs.

(Dr.K.B.Suresh)JM

दिनांक 12/11/15 के आदेशालुसार
गोपीनाथ नाथ दिनांक 11/11/16
को लागू होना चाहिए गए ।

आनुपम अधिकारी
कोन्ट्रोल इंस्पेक्टर अधिकारी
जोधपुर जवाहरलाल, जोधपुर