

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

OA 870 of 1997

Present : Hon'ble Mr. Mukesh Kumar Gupta, Judicial Member  
Hon'ble Mr. M.K. Mishra, Administrative Member

Niranjan Das

-VS-

Eastern Railway

For the Applicant : Mr. S. Chattopadhyay, Counsel

For the Respondents: Mr. M.K. Bandyopadhyay, Counsel

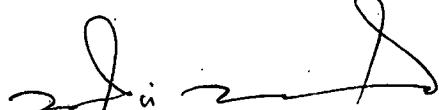
Date of Order : 23-11-2004

ORDER

MR. MUKESH KUMAR GUPTA, JM

It is admitted by Ld.Counsel for both the parties that the applicant remained under suspension from 30-5-1997 to 7-6-1997. No disciplinary proceedings were initiated against the applicant. It is further pointed out that the applicant attained the age of superannuation and the only question remains is payment of nine days' salary. According to the concerned provision, the respondents were bound to pass the order treating the period of suspension in either manner, which has not been done. Since the applicant attained the age of superannuation and no disciplinary proceedings have been initiated against him under the rule ~~invoked~~, the applicant is entitled to nine days' salary for the aforesaid suspension period. Accordingly, the O.A. is allowed and the respondents are directed to release the salary from 30-5-1997 to 7-6-1997 within a period of one month from the date of receipt of a copy of this order, if no such payment is <sup>already</sup> ~~made~~ to the applicant. No costs.

  
Member (A)

  
Member (J)