

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A.no.967 of 1997

Date of Order: 29.9.97.

Present: Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman.

Hon'ble Mr. M.S. Mukherjee, Administrative Member.

SUBIR KR. DAS

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr. R. Barua, counsel.

For the respondents: NONE.

Heard on : 29.9.97.

O R D E R

M.S. Mukherjee, A.M.

Mr. R. Barua, 1d. counsel, appears for the petitioner.

None appears for the respondents despite service being completed.

The petitioner submits that he has been suspended on second time w.e.f. 16.8.95 vide Annexure-D to the petition because of the pendency of certain criminal case against him for which he was detained in police custody for 48 hours. The petitioner's grievance is that despite <sup>at his remaining</sup> he remained under suspension since 1995, subsistence allowance has not been enhanced to 75% under the rules and his representations have not been acceded to by the respondents.

On hearing the 1d. counsel for the petitioner, we dispose of the application at this present stage

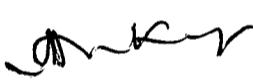
JK

.....2

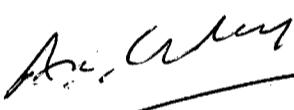
itself with the direction that the respondents shall treat the entire application as a representation for the reliefs claimed therein and shall finally decide the case by passing suitable order within 3 months from the date of communication of this order. We further direct that the respondents shall also disburse the subsistence allowance ~~at 75% to~~ <sup>at 75% to</sup> the petitioner as may be admissible under the rules together-with arrears within the same period. If otherwise, the respondents shall communicate the same to the petitioner immediately to that effect.

Application is accordingly disposed of. We pass no order as to costs.

Certified copy of this Order be delivered to the petitioner within 2 days from this day.

  
(M.S. Mukherjee)

Member(A)

  
(A.K. Chatterjee)

Vice-Chairman.