

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

(VACATION BENCH)

M.A. No. 423 of 1997
(O.A. 839 of 1997)

Date of order: 6.10.1997

Present: Hon'ble Mr. D. Purkayastha, Judicial Member

Nitya Ranjan Das, S/o late K. Das
Asstt. Controller of Stores,
Eastern Railway, Calcutta-1

Vs

UNION OF INDIA & ORS.

For the Applicant : Mr. B.C. Sinha, counsel

For the REspondents : None

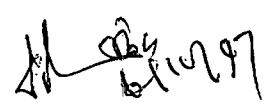
UNLISTED

O R D E R

Heard Mr. B.C. Sinha, learned advocate for the applicant for granting an interim order directing the respondents to allow the applicant to join his duties by revoking the suspension order which is still inforce. This application was moved as an unlisted motion today. Mr. Sinha submits that the respondents had submitted the chargesheet against the applicant and thereby the suspension order should not be allowed to continue further.

2. I have considered the submission of Mr. Sinha, but I do not find any justification to pass any interim order in this case simply because of the fact that such interim order directing the respondents to allow the applicant to join his duties tantamounts to revocation of suspension which is primarily to be considered by the disciplinary authority and thereby the application for interim order as prayed for is hereby rejected. Before departing with the record on the prayer of the learned advocate, Mr. Sinha, it is ordered that the applicant may move for revocation of the suspension order to the disciplinary authority for consideration and necessary order as the disciplinary authority thinks fit and proper.

3. MA is thus dismissed.


(D. Purkayastha)

MEMBER (J)