

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 509 of 1996.

Tuesday this the 30th day of April 1996.

CORAM:

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

O.V. Chandran Nambiar,
Aged 54 years,
Office Superintendent
(on removal)
Telecom Electrical Circle,
Trivandrum, residing at
T.C. 6/2258, Aswathi,
Valiyavila,
Trivandrum-13.

.. Applicant

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Superintending
Engineer,
Telecom Electrical Circle,
Trivandrum.

2. The Chief General Manager,
Telecom, Kerala Circle,
Trivandrum.

.. Respondents

(By Advocate Shri Shafik for Shri TPM Ibrahim Khan, SCGSC)

The application having been heard on 30th April, 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant seeks a declaration that he is
not liable to be removed from service at this stage.

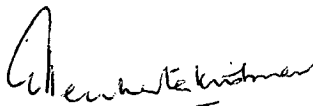
2. He was convicted by the Special Judge, Central
Bureau of Investigation, Ernakulam on a charge under the

Prevention of Corruption Act. Pending the criminal charge applicant had been removed from service. The conviction remains though the sentence is suspended. On the basis that the sentence is suspended, reinstatement is sought.

3. Learned standing counsel for respondents appearing on notice argued the matter with reference to pronouncements of the Supreme Court and submitted that this application cannot be entertained. There is force in the submission.

4. If at all, applicant may seek departmental remedies. With freedom to do so, we dismiss the application. No costs.

Tuesday this the 30th day of April, 1996.



P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN