

CETRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.81/2000

Monday this the 6th day of March, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

M. Vijayakumaran Nair,
aged 49, S/o Neelakandan nair
Chief Commercial Inspector,
Divisional Office Commercial Branch
Southern Railway, Trivandrum
residing at Prayagh
Valiyavaila Junction
Thirumala, Trivandrum.

...Applicant

(By Advocate Mr. Vishnu S.Chempazhanthiyil)

vs.

1. Senior Divisional Personnel Officer,
Southern Railway, Thycaud, Trivandrum.
2. Senior Divisional Commercial Manager,
Southern Railway, Thycaud, Trivandrum.
3. Divisional General Manager,
Trivandrum Division, Trivandrum.
4. Union of India rep. by its Secretary,
Ministry of railway, New Delhi.

..Respondents

(By Advocate Mrs.Sumati Dandapani (rep.)

The application having been heard on 6.3.2000, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who was placed under suspension and
continues to be under suspension vide order dated 19.3.96
(A.1) on account of pendency of criminal investigation
against him has filed this application for a declaration
that he is entitled to have his subsistence allowance
reviewed by the competent authority as required under
paragraph 1342 of the Indian Railway Establishment Manual

...2

CETRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.81/2000

Monday this the 6th day of March, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

M. Vijayakumaran Nair,
aged 49, S/o Neelakandan nair
Chief Commercial Inspector,
Divisional Office Commercial Branch
Southern Railway, Trivandrum
residing at Prayagh
Valiyavaila Junction
Thirumala, Trivandrum.

...Applicant

(By Advocate Mr. Vishnu S.Chempazhanthiyil)

vs.

1. Senior Divisional Personnel Officer,
Southern Railway, Thycaud, Trivandrum.
2. Senior Divisional Commercial Manager,
Southern Railway, Thycaud, Trivandrum.
3. Divisional General Manager,
Trivandrum Division, Trivandrum.
4. Union of India rep. by its Secretary,
Ministry of railway, New Delhi.

..Respondents

(By Advocate Mrs.Sumati Dandapani (rep.)

The application having been heard on 6.3.2000, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who was placed under suspension and
continues to be under suspension vide order dated 19.3.96
(A.1) on account of pendency of criminal investigation
against him has filed this application for a declaration
that he is entitled to have his subsistence allowance
reviewed by the competent authority as required under
paragraph 1342 of the Indian Railway Establishment Manual

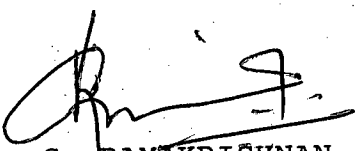
...2

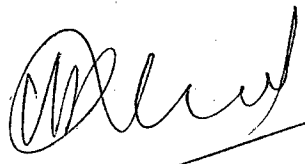
Vol.II and for a direction to the respondents to review and revise the subsistence allowance payable to him.

2. When the application came up for hearing, the learned counsel appearing on either side agree that the application may be disposed of with a direction to the second respondent to consider the representation (A3) made by the applicant and to pass appropriate orders regarding revision of the subsistence allowance within a reasonable time.

3. In the result, in the light of what is stated above, the application is disposed of directing the second respondent to consider the request of the applicant in Annexure.A3 regarding review and revision of the subsistence allowance and pass appropriate orders within a period of one month from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 6th day of March, 2000


G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

s.

List of Annexures referred to:

Annexure.A1: True copy of the Order No.V/CS/415/Criminal case .
dated 19.3.96 of the 2nd respondent.

Annexure.A3: True copy of the representation
dated 17.2.97 to the 1st respondent.