

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.180 of 1996

Tuesday, this the 26th day of March, 1996

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR P V VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

S. Ravi Pillai, S/o Sivarama Pillai,
(Observatory Attender, CDR(Cyclone
Detection Radar) Station,
Machilipattanam, Andhra Pradesh),
Residing at Gopal Nivas, Kallingal,
Kulathoor P.O., Kazhakkuttom,
Trivandrum District, Kerala. .. Applicant

By Advocate Mr K.C. Eldho.

Vs

- 1 The Assistant Meterologist(Administration),
Regional Meteorological Centre,
Madras.
- 2 The Deputy Director General,
Regional Meteorological Centre,
50, College Road, Madras -6.
- 3 The Director,
Meteorological Centre Observatory,
Trivandrum -1. .. Respondents

By Advocate Mr S Radhakrishnan, Addl.CGSC

The application having been heard on 26th March 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant is aggrieved by A-1 order restricting
his pay and allowances during the period of suspension.
Applicant was suspended on a murder charge being
levelled against him. He was acquitted. Counsel for
applicant submitted that applicant was found
'innocent' and that he should be treated as on duty
during the period of suspension. The accused

is either found guilty or not guilty. The finding of innocence is alien to the context. In the case on hand he was acquitted:

"... because of the witness resiling from their statements recorded under sections 161(3) Cr.P.C. the prosecution could not bring home the guilt against the accused."

If applicant is aggrieved by A-1 he has the remedy of an appeal. We notice that he has filed A-2 representation. This may be treated as an appeal and disposed of. We make it clear that we have not expressed any opinion on the merits of applicant's case.

2 Original application is disposed of as aforesaid. No costs.

Dated the 26th March, 1996.

P V Venkatakrishnan
P V VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

Chettur Sankaran Nair
CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

LIST OF ANNEXURES

1. Annexure A1: True copy of the order No. 1627/AE-11900 (SRP) dated 13.4.1994 issued by the 1st respondent to the applicant.
2. Annexure A2: True copy of the representation dated 25.4.1994 submitted before the 1st respondent by the applicant.

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