

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.207/09

Thursday this the 2nd day of April 2009

C O R A M :

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER

Kasmi Koya,
S/o.late Said Muhammed Koya,
Cheriyannallal House,
Kalpeni, Lakshadweep – 682 557.

...Applicant

(By Advocate Mr.V.B.Hari Narayan)

Versus

1. Administrator,
Union Territory of Lakshadweep,
Kavaratti – 682 555.

2. Director of Education,
Union Territory of Lakshadweep,
Kavaratti – 682 555.

...Respondents

(By Advocate Mr.S.Radhakrishnan)

This application having been heard on 2nd April 2009 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The applicant while working as Head Master, Government High School, Kadmat was placed under suspension contemplating disciplinary proceedings. Thereafter, the suspension order was revoked on 22.7.2004 by the 1st respondent without even serving the charge memo. However, while revoking the suspension order the 1st respondent has not passed any order to regularise the period of suspension from 25.3.2004 to 22.7.2004



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as on duty. Since the period of suspension has not been regularised the applicant was denied the annual increment from 2004 onwards. Further, the senior scale due to the applicant on completion of 12 years service has also not been given to him for want of regularisation of the suspension period.

2. The counsel for the applicant has annexed Annexure A-3 representation *JK* 26.9.2008 and Annexure A-4 representation dated 26.2.2009. He has also submitted that the applicant has been making representations from 2004 onwards even though they have not been produced with this O.A.

3. In our considered opinion, the 1st respondent ought to have passed an order as to how the suspension period of the applicant was to be treated along with the order revoking the suspension itself. We, therefore, dispose of this O.A at the admission stage itself by directing the 1st respondent to consider Annexure A-3 and Annexure A-4 representations of the applicants and pass reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

(Dated this the 2nd day of April 2009)


K.NOORJEHAN
ADMINISTRATIVE MEMBER

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GEORGE PARACKEN
JUDICIAL MEMBER