

Central Administrative Tribunal , Lucknow Bench, Lucknow
CCP No. 28 of 2004 in O.A. No. 372/2001 and 255/2002

this the 4th day of October, 2004

HON'BLE SHRI S.P. ARYA, MEMBER (A)

HON'BLE SHRI M.L. SAHNI, MEMBER (J)

1. Rajesh Kumar aged about 33 years son of Sri Janki Prasad resident of Village Pure Bainama Post Roza Gaon, District Faizabad.
2. Prabhu Nath Singh aged about 32 years son of late Nagina Singh resident of Budhi Chhapra, Post Sakra, District- Siwan (Bihar)

...Applicants

By Advocate: Sri R.L.Mishra

Verus

1. Sri R.K. Bansal , Divisional Railway Manager, Hazratganj, Lucknow.
2. Sri G.S. Yadav, Assistant Mechanical Engineer, Diesel Shed, Northern Railway, Alambagh, Lucknow.

...Respondents

By Advocate: Sri Raj Singh for Sri A.K.Chaturvedi

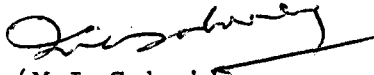
ORDER

BY SHRI S.P. ARYA, MEMBER (A)

Notices were issued to respondents No. 1 and 2 for non compliance of the order dated 17th October, 2003 in respect of two applicants of the CCP in the bunch of the OAs led by Shri Sher Singh and others Vs. Union of India.

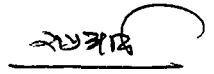
2. We have heard learned counsel for both the parties. Show cause notices have been issued to both the applicants. Final order on the show cause notice has been passed or not could not be clarified by the counsel for the parties. It is alleged by the applicants that on quashing of their termination order, neither they were allowed to join nor subsistence allowance was paid to them. Under the provisions of CCA (CCS) Rules, 1965, once a termination order ^{amounting to dismissal} is quashed for not affording any opportunity to the applicants, employee is

deemed to be suspended. Once he is deemed to be suspended, he is entitled to the subsistence allowance. If the subsistence allowance has not already been paid, the same shall be paid to the applicant within one month. The final order in the case of the applicants should also be passed within that time. With these directions, CCP is dismissed.


(M.L.Sahni)

Member (J)

HLS/-


(S.P.Arya)

Member (A)