

**Central Administrative Tribunal
Lucknow Bench**

OA No.68/2005

Lucknow this the 16th day of March, 2009.

**Hon'ble Mr. Shanker Raju, Member (J)
Hon'ble Dr. (Mrs.) Veena Chhotray, Member (A)**

Udaipal Singh, aged about 61 years, S/o Shri Nageshwar Singh,
R/o Village Dhaurahra, Post Antu, District Pratapgarh.

-Applicant

(By Advocate Shri R.K. Upadhyaya)

-Versus-

1. Union of India through the Secretary,
Ministry of Telecommunication,
Department of Posts, Government of India,
Dak Bhawan,
New Delhi.
2. Senior Superintendent of Post Offices,
Pratapgarh. -Respondents

(By Advocate Shri S.P. Singh brief holder of Shri K.K. Shukla,
Advocate)

O R D E R (ORAL)

Mr. Shanker Raju, Member (J):

Applicant's put off duty period on his acquittal has been treated as break in service, which cannot be countenanced, as on clear exoneration when no appeal is preferred against his acquittal, the same rules as in case of suspension shall *mutatis mutandis* apply to such a situation. In such an event, respondents shall pass an order on the basis of acquittal to treat the put off duty in accordance with law to reckon towards qualifying service as well as for arrears by passing a reasoned and

speaking order within a period of three months from the date of receipt of a copy of this order. Accordingly, the OA is partly allowed by setting aside the impugned order. No costs.

Chhotray

(Dr. Veena Chhotray)
Member (A)

S. Raju

(Shanker Raju)
Member (J)

‘San.’

*Chhotray
Cust & Faub
Deputy B.
Rajend.
B.S.O.*