

CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH, LUCKNOW.

M.P. No.157/93
in
O.A. No.418/92
connected with O.A.No.405/92

HV

Moh. Farooq Khan ::::: Applicant

Vs.

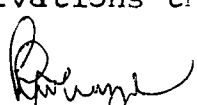
Union of India &
Others. ::::: Respondents.


Hon.Mr.Justice U.C.Srivastava,V.C.

Hon. Mr. K. Obayya, A.M.

(By Hon.Mr.Justice U.C.Srivastava, V.C.)

This is an application for modification of the order passed by this Tribunal. The case was disposed of with a direction that in case the enquiry is not concluded within two months from the date of submission of reply, the suspension order shall stand quashed. In one case the enquiry was concluded and in the other the enquiry was about to conclude, but the period of two months expired before the enquiry is concluded. Before one week of the said two months this application was moved. Some-how or the other it escaped our attention that it does not contain the clause "the applicant shall fully co-operate with the enquiry and despite his full co-operation, if the enquiry is not concluded within this stipulated period, the suspension order shall stand quashed." Any how this clause is missing. So we will have to accept the order. The respondents can even now conclude the enquiry without delay. Merely because the suspension order stands quashed and the applicant is deemed to be continuing in service, it is not obligatory on the respondents to take work from the applicant till final order is passed. With the above observations the application stands dismissed.


Member (A)


Vice-Chairman.

Dated: 10th March, 1993, Lucknow.
(tgk)