

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW**

**Original Application No.309/2012
This the 06th day of February 2013**

Hon'ble Mr. Justice Alok Kumar Singh, Member (J)

Hon'ble Mr. D.C. Lakha, Member (A)

Sarvesh Kumar Singh, aged about 48 years, S/o Vijay Bahadur Singh @ Brijest Bahadur Singh, R/o Village and Post-Naipur, P.S.-Wazirganj, District-Gonda.

...Applicant.

By Advocate: Sri P.K. Singh.

Versus.

1. Bharat Sanchar Nigam Limited, through Chief General Manager, U.P. East, Telecom Circle, Lucknow.
2. The Chief General Manager, U.P. East, Telecom Circle, Lucknow.
3. The Telecom District Manager, Gonda.
4. The Sub Divisional Engineer (Phones), Tarabganj, Gonda.

.... Respondents.

By Advocate: Sri A.P. Singh holding brief for Sri V.P.S. Chauhan.

ORDER (Dictated in Open Court)

By Hon'ble Mr. Justice Alok Kumar Singh, Member (J)

This O.A. was filed for quashing of the impugned orders dated 31.10.2009 and 28.11.2011. By means of order dated 31.10.2009, the applicant has been placed under suspension in contemplation of departmental inquiry whereas, vide order dated 28.11.2011 (Annexure-1) he was given an opportunity for making representation, if any, against the penalty proposed.


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2. Concededly, the departmental inquiry has come to an end and he has been removed from service vide order dated 29.09.2012, which is not in question under this O.A.

3. In view of the above, O.A. has become infructuous except for the corollary, if any, of the interim order dated 14.08.2012 passed in this O.A. for ensuring payment of subsistence allowance from the relevant date.

4. Sri A.P. Singh holding brief for Sri V.P.S. Chauhan, learned counsel for the respondents has given statement at the Bar on the basis of instructions received by him that in furtherance of this interim order the payment of subsistence allowance from the relevant date is likely to be made within 45 days. Learned counsel for the applicant fairly concedes that it would meet the ends of justice, if this O.A. is finally disposed of with a direction to the respondents to ensure the above compliance within the stipulated time.

5. In view of the above, this O.A. stands finally disposed of with a direction to the respondents to ensure compliance of interim order dated 14.08.2012 passed in this O.A. expeditiously say within 45 days as requested by themselves. No order as to costs.


(D.C. Lakha)
Member (A)


(Justice Alok Kumar Singh)
Member (J)