

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. NO. 160 of 1991

K.S. Dixit

Applicant

versus

Union of India & others

Respondents.

Shri O.P. Srivastava, Counsel for Applicant.

Shri A.K.Chaturvedi Counsel for Respondents

Coram:

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

Hon. Mr. K. Obayya, Adm. Member.

(Hon. Mr. Justice U.C. SRIVASTAVA, V.C. )

The applicant who was Assistant Station Master, was transferred to several places and while functioning as Rest Giver Station Master at six Railway Stations, was placed under suspension vide order dated 2.12.83 but it appears that the said order was lateron ~~was~~ recalled and the suspension was in respect of a quarter which was in his occupation. The applicant, in the mean time has been making representations regarding his transfer <sup>at</sup> some other place but ultimately reply was given to him on 16.1.91 that his case does not qualify for permission to retain the quarter beyond 9.6.1989 and his representation was rejected.

(JL)

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2. According to the applicant while he was waiting for a fresh order of transfer, the suspension order was passed. The applicant has challenged the order of suspension on various grounds including that it is by way of punishment, merely because he retained the quarter, and no quarter was retained by him and he has not violated any rules and he cannot be placed under suspension on this very ground and also because he has discovered a big cash embezzlement at Kheri town.

3. The respondents in the counter affidavit have pointed out that the charge sheet has been served upon the applicant now, on 25.5.91 and it appears that the enquiry proceedings have not been concluded.

4. We do not interfere in the suspension order. The respondents are directed to conclude the enquiry within 3 months and the applicant shall cooperate with the enquiry. If the enquiry is not completed in spite of cooperation of the applicant, suspension order will stand quashed.

5. Applicant's application stands disposed of as above with no order as to costs.

A.M.

V.C.

Shakeel/-

Lucknow: Dated: 23.10.92.