

(12)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 578/91
Transfer Application No.

Date of Decision : 20/6/95

Smt. K.V. Ahir

Petitioner

P.V. Davare

Advocate for the
Petitioners

Versus

Post Master Head Office & 2 Ors.

Respondents

Shri Karkera for Shri Pradhan


Advocate for the
respondents

C O R A M :

The Hon'ble Shri B.S. Hegde, Member(J).

The Hon'ble Shri P.P. Srivastava, Member(A).

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?


(B.S. HEGDE)
M(J)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH.

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O.A.578/91.

Smt.K.V.Ahir

... Applicant

V/s.

1. Post Master Head Office, G.P.O.,
Aurangabad.
2. Senior Supdt. of Post Office,
Aurangabad Division Aurangabad.
3. The Post Master General,
Aurangabad Division Aurangabad. ... Respondents

CORAM: Hon'ble Shri B.S.Hegde, Member(J).

Hon'ble Shri P.P.Srivastava, Member(A).

APPEARANCE:

Shri P.V.Davare, Counsel
for Applicant.

Shri Karkera for Shri Pradhan,
Counsel for Respondents.

ORAL JUDGEMENT:

DATED : 20/6/95.

X Per Shri B.S.Hegde, Member(J). X

It seems the applicant was compulsorily retired on 20/5/1987 and he died on 26/1/93. According to respondents, the main prayer made by the applicant is that he has not been paid salary from 20/2/1979 to 10/4/1985.

The respondents states that on 5/6/87 they passed an order treating the aforesaid period of suspension as suspension for all purposes. Whatever payment due to the applicant has already been paid. The Learned Counsel for Respondents draws our attention to Full Bench decision of Jabalpur 1995-1 - ATJ-185 Ram Kumar Yadav C/s. Union of India wherein it is held that for justification of suspension a clean acquittal is not a must. Even where a Government servant has been completely exonerated of the criminal charge, it is open to the Competent Authority to examine the question of justification of suspension.

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In the circumstances, there is no merit in the OA and OA is dismissed without any order as to costs.



(P.P. SRIVASTAVA)
M(A)



(B.S. HEGDE)
M(J)

abp.