

(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*  
(B.S. HEGDE)  
M(J)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH.

(13)

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.

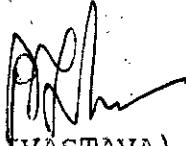
X Per Shri B.S.Hegde, Member(J). X

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 -  
ATU-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.

TM

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.