

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY-1
CAMP: NAGPUR.

OA NO. 1146/92

Narayan Shankarrao Verulkar
Adarsha Colony
Near Gandhi Nagar PO
Akola

Applicant

v/s.

Union of India through
Secretary, Min. of I&B
New Delhi & 2 ors.

..Respondents

Coram: Hon. Shri Justice M.S. Deshpande, V.C.
Hon. Shri M Y Priolkar, Member (A)

APPEARANCE:

Mr. S V Gole
counsel
for the applicant

Mr. R. Darda
counsel
for the respondents

ORAL JUDGMENT:
(PER: M S Deshpande, Vice Chairman)

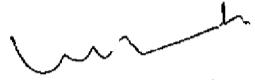
DATED: 19.7.93

Heard the counsel.

It is apparent that a criminal prosecution is pending before the Special Judge in Special case No.32/86 on the charge of embezzlement. The applicant has approached this Tribunal with the prayers that the memorandum dated 7.12.91 of the appellate authority to continue him under suspension sine die. The respondents submission is that as long as the criminal case remains pending the suspension order cannot be revoked in view of the provisions of law. The department has reviewed the question of suspension and has come to the conclusion that the suspension should continue sine die, and this is in accordance with the view expressed by the Tribunal in the earlier judgment. The further finding of the review committee is that since the applicant is being paid maximum subsistence allowance it cannot be raised.

We see no non-application of mind in this approach.
There is no merit in the application. The application is
accordingly dismissed.


(M Y Priolkar)
Member(A)


(M S Deshpande)
Vice Chairman

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