

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Dated: 10 FEB 1994

APPLICATION NO(s) 796 of 1993.

APPLICANTS: Pashumiyan v/s. RESPONDENTS: Commander Works Engineer,
(Air Force), Mudfort, Secunderabad
and Others.

TO.

1. Sri.S.M.Babu,
Advocate, 242,
Kanak Mandiram,
Fifth Main Road,
Gandhinagar,
Bangalore-560009.
2. The Commander Works Engineer,
(Air Force), Mudfort, Secunderabad.
3. Sri.M.Vasudeva Rao, CGSC,
High Court Bldg, Bangalore-1-

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.

-xxx-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 25-01-1994.

S. Sankar 10/2/94
FOR DEPUTY REGISTRAR
JUDICIAL BRANCHES.

gm*

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.796/93

TUESDAY THIS DAY THE 25TH OF JANUARY, 1994

MR. JUSTICE P.K. SHYAMSUNDAR

VICE CHAIRMAN

MR. T.V. RAMANAN

MEMBER (A)

Shri Pashumiyan, Major,
S/o Syed Saalesahab,
Working as Mate,
R/o Aliabad, Navbad Post,
Bidar, Bidar District,
Karnataka State

Applicant

(By Advocate Shri S.M. Babu)

vs.

1. Commander Works Engineer (AF),
Mudfort,
Secunderabad-3
2. Asstt. Garrison Engineer,
Bidar,
Karnataka State

(By Advocate Shri M.V. Rao)
Central Govt. Standing Counsel

ORDER

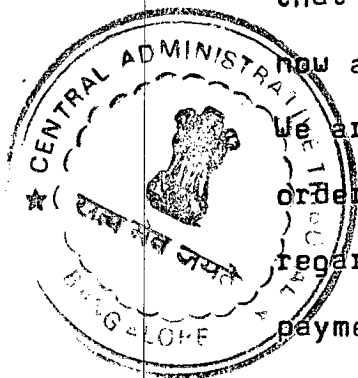


Mr. T.V. Ramanan, Member (A)

Admit.

We have heard Shri S.M. Babu, learned
counsel for the applicant and Shri M.V. Rao, learned
Standing Counsel for the respondents.

3. Counsel for the applicant argued that the applicant had not been paid any arrears of salary from 1984 till the date of his reinstatement. He argued that this period should at least be treated as period under suspension and the applicant paid the subsistence allowance according to the rules. Learned counsel for the respondents, however, argued that since the enquiry is on, an order relating to treatment of the period in question would come only after the conclusion of the enquiry and not at this juncture. In view of this, the question of treating the relevant period as period under suspension would not be correct as the applicant was never placed under suspension. After hearing the arguments, we feel that this enquiry is going on for quite sometime now and it should be concluded with expedition. We are of the view that we need not pass any orders on the request made by the applicant as regards treatment of the relevant period and payment to be made to him. We, however, direct the respondents to conclude the enquiry within a period of four months from the date of receipt of a copy of this order and pass suitable orders as regards the enquiry and also treatment of the period in question between 1984 and the date of reinstatement. Application is disposed of accordingly with no order as to costs.



TRUE COPY

[Signature]
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL DEPUTY
BANGALORE

Sd-
(T.V. RAMANAN)
MEMBER (A)

Sd-
(P.K. SHYAMSUNDAR)
VICE CHAIRMAN