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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH: JAIPUR

Date of order : 15.12.92

OA 1095/92

Bhagwan Das Bhargava ... Applicant.

versus

Union of India & Ors. ... Respondents.

Mr. S.K. Jain, Counsel for the applicant.

CORAM:

Hon'ble Mr. Justice D.L. Mehta,
Vice Chairman.

Hon'ble Mr. B.B. Mahajan, Adm.
Member.

...


PER HON'BLE MR. JUSTICE D.L. MEHTA:


Mr. S.K. Jain has invited our attention to Suspension order dated 23.10.86 (Annexure A/1). In the said order it has been mentioned that criminal offence is under trial in the Court of Additional Chief Judicial Magistrate (CBI case), Jaipur. As such, the applicant was placed under suspension. Mr. Jain submits that due to long pendency or delayed decision in the criminal cases, the Hon'ble Supreme Court in number of cases has discharged the accused. We agree with Mr. Jain to this extent that ordinarily the criminal case should not be prolonged for years together and prolonging for years together in the Court of CBI may result in frustration of the object of the proceedings. As far as this Tribunal is concerned, we are not in a position to direct for early

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disposal of the case. It is only within the jurisdiction of the Hon'ble High Court to pass necessary orders and to see that the criminal case is disposed of within a reasonable period and the pendency of such cases for a period of 6 to 7 years may be a cause of grievance for the applicant. Mr. Jain may move an application u/s. 482 for early decision to the Hon'ble High Court, if he so desires. As far as the second question about the pendency of the representation before the competent authority is concerned, we direct that the representation, if any, pending with the department relating to suspension should be disposed of within a period of 3 months. With this observation, the OA is disposed of. Copy of this order may also be sent to the Additional Registrar, Rajasthan High Court, Jaipur, for information and necessary action, if any.


(B.B. Mahajan)
Adm. Member


(D.L. Mehta)
Vice Chairman

Cvr.