

22

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.925/92

Date of Order: 7.4.1993

BETWEEN:

O.P.Misra

.. Applicant.

A N D

1. The Union of India,  
through Secretary,  
Ministry of Defence,  
Govt. of India, Parliament  
Street, New Delhi.
2. DDGMP (MF-2) Army Head Quarters,  
West Block III QMG Branch, DHO,  
R.K.Puram, New Delhi.
3. D.D.M.F., Head Quarter Southern  
Command, Kirkee (Pune).
4. DDMF Head quarters, Central Command,  
Lucknow.
5. ADMF Military Farm,  
Meerut.

.. Respondents.

---

Counsel for the Applicant

.. Mr.V.Venkataramana

Counsel for the Respondents

.. Mr.M.Keshava Rao

---

CORAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

T. Chandrasekhara Reddy

---

IMP  
3/4

23

Order of the Single Member Bench delivered by  
Hon'ble Shri T.Chandrasekhara Reddy : Member(Judl.).

---

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to pay the applicant the pay and allowances due to him for the period from January 1989 to November 1989 during which period the applicant was kept            under suspension.

The facts giving rise to this O.A. in brief are as follows:-

2. The applicant while working as Supervisor in the Office of the 5th respondent was kept under suspension w.e.f. 24.12.1988. The said suspension orders were revoked as per the orders dt. 28.11.1989. It is the grievance of the applicant that the pay and allowances are not paid to him for the said period of suspension and so the present O.A. is filed by the applicant for the relief as already indicated above.
3. Today we have heard Mr.Rangaiah for Mr.V.Venkataram Advocate for the applicant and Mr.M.Keshava Rao, Standing Counsel for the respondents.
4. Mr.Keshava Rao sought some more time for filing counter of the respondents. Sufficient opportunity had been given to the respondents to file counter. After hearing both sides we are of the opinion that counter to the O.A. is not required and that this matter can be decided at the admission stage. So, we refuse further time to respondents to file their counter.
5. During the course of hearing of this O.A. it became evident that the disciplinary action proposed to be taken against the applicant had been dropped. So, as the disciplinary

22/12/89

T. C. R.

proceeding has been dropped as against the applicant, the applicant has got a right to be paid his pay and allowances in accordance with F.R.54 for the suspension period. As a matter of fact Mr.Keshava Rao submitted as disciplinary proceedings are dropped as against the applicant that appropriate action is being taken by the respondents to pay all his pay and allowances in accordance with rules and regulations for the suspension period. So, in view of this position, we direct the respondents to pay to the applicant ~~the~~ pay and allowances due to him in accordance with rules and regulations after making deduction of the subsistence allowance paid to the applicant for the suspension period. If the applicant is entitled for payment of any bonus for the suspension period the same shall be paid to the applicant in accordance with rules and regulations after deducting the payment that had been made. The respondents shall comply with this order within a period of three months from the date of ~~the~~ communication of the same.

O.A. is disposed of accordingly leaving the parties to bear their own costs.

(T.CHANDRASEKHARA REDDY)  
Mmeber (Judl.)

Dated: 7th April, 1993

(Dictated in Open Court)

8/3/93  
Deputy Registrar (J)

To

1. The Secretary, Union of India,  
Ministry of Defence, Govt.of India, Parliment Street, New Delhi.
2. The DDGMP(MF-2) Army Head Quarters, West Block III  
sd QMG Branch, DHO R.K.Puram, New Delhi.
3. The D.D.M.F. Head Quarter Southern Command, Kirkee(Pune)
4. The DDMF Head Quarters, Central Command, Lucknow.
5. The ADMF Military Farm, Meerut.
6. One copy to Mr.V.Venkataramana, Advocate, 62/2RT, Saidabad, Hyd.
7. One copy to Mr.M.Kesava Rao, Addl.CGSC.CAT.Hyd.
8. One copy to Library. CAT.Hyd.
9. One spare copy.

pvm

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO  
VICE CHAIRMAN

AND

THE HON'BLE MR. K. BALASUBRAMANIAN :  
MEMBER (ADMN)

AND

THE HON'BLE MR. T. CHANDRASEKHAR  
REDDY : MEMBER (JUDL)

DATED: 7-6-1993

~~ORDER~~/JUDGMENT

R.P./ C.P/M.A.No.

in

O.A.No.

925/92

T.A.No.

(W.P.No

)

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions

Dismissed as withdrawn.

Dismissed

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

Central Administrative Tribunal

DESPATCH

71 APR 1993

HYDERABAD BENCH.