

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO. 740 of 1993

DATE OF JUDGMENT: 18th August, 1993

BETWEEN:

Mr. B.Yadagiri .. Applicant
and

The Deputy Collector,
Office of the Collector,
Central Excise,
Hyderabad. .. Respondent

HEARD:

COUNSEL FOR THE APPLICANT: Mr. V.V.Narasimha Rao, Advocate

COUNSEL FOR THE RESPONDENTS: Mr. N.V.Raghava Reddy, Addl.CGSC

CORAM:

Hon'ble Shri Justice V.Neeladri Rao, Vice Chairman

Hon'ble Shri P.T.Thiruvengadam, Member (Admn.)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

The applicant is Sepoy in the office of the respondent. He was placed under suspension by the order dated 4.6.1993 in exercise of the power under Section 10(1)(b) of the C.C.S. (C.C.A) Rules. Admittedly, a Crime was registered against the applicant as per the Crime No.113/93 on the file of the Saifabad Police Station, Hyderabad for the offence under Section 381 IPC. The said order of suspension is challenged in this OA.

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2. Rule 10(1)(b) of the Central Civil Services (Classification, Control and Appeal) Rules empowers the appointing authority or any authority to which the employee is subordinate or the disciplinary authority or any other authority empowered in that behalf by the President to place an employee under suspension if a case against him in respect of any criminal offence is under investigation, inquiry or trial. It is submitted for the respondents that the Crime 113/93 was registered in pursuance of the complaint submitted by them to the effect that the goods worth Rs.1,42,000/- were stolen. Hence, we see no reason for interference ⁱⁿ _{in} the impugned order of suspension. Accordingly, the OA is dismissed at the admission stage. No costs. It is made clear that the question as to whether the applicant is ^{in any} _{in no} way concerned with regard to the alleged theft is not ^{the} _{in} matter for consideration in this OA and it is left open for consideration as and when it arises.

(Dictated in the open Court).

P. J. D. G.

(P.T. THIRUVENGADAM)
Member (Admn.)


(V. NEELADRI RAO)
Vice Chairman

Dated: 18th August, 1993.

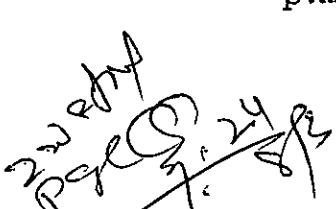

Deputy Registrar (S)

To

vsn

1. The Deputy Collector,
O/o the Collector, Central Excise, Hyderabad.
2. One copy to Mr. V. V. Narasimha Rao, Advocate,
3. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC. CAT. Hyd.
4. One copy to Library, CAT. Hyd.
5. One spare copy.

pvm



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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. A. B. GORTHY : MEMBER (A)

AND

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

AND

THE HON'BLE MR. P. T. PIRUVENGADAM : M (A)

Dated: 16 - 8 - 1993

~~ORDER~~ JUDGMENT:

M.A/R.A/C.A.N.

in

O.A.No. 740/93

T.A.No. (W.P.)

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

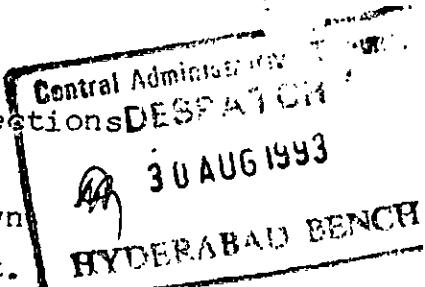
Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.



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