

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH:

AT HYDERABAD

O.A.No.253 OF 1999.

DATE OF ORDER:29-4-1999.

BETWEEN:

Y.J.Raidu.

.....Applicant

a n d

Union of India, rep. by,

1. The Secretary,
Ministry of Home Affairs,
Government of India, New Delhi.
2. The Director,
Intelligence Bureau, (MHA),
Govt. of India, New Delhi.
3. The Deputy Director,
Intelligence Bureau, Subsidiary
Intelligence Bureau, (MHA),
Govt. of India, Hyderabad-500 004.
4. The Accounts Officer(Pension),
Pay & Accounts Office,
Intelligence Bureau, (MHA),
Govt. of India, AGCR Building,
I.P.Estate, New Delhi.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.P.L.Narasimha Rao

COUNSEL FOR THERESPONDENTS :: Mr.V.Rajeshwara Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

A N D

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER(A))

Heard Mr.P.L.Narasimha Rao, learned Counsel for the
Applicant and Mr.V.Rajeshwara Rao, learned Standing Counsel
for the Respondents.

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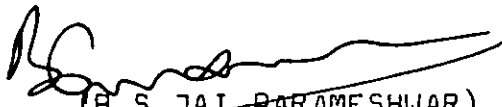
2. This OA is filed praying for the following reliefs:-
- (a) To direct the Respondents to re-instate the Applicant and regularise the services with effect from 9-6-1995 and further to set aside the impugned Order No.5/Est/(PF)/88(1)2704, dated:17/20-7-1998, and No.5/EST(PF)/88(1)-3517, dated:8-10-1998 (Annexures.VII and VIII) for this purpose first;
 - (b) To direct the Respondents to re-employ the applicant into service from the after-noon of 30-6-1995 till the date of re-instatement following his discharge by the criminal court in Eluru on 9-4-1998;
 - (c) To direct the Respondents 1 to 3 to treat the period from 9-4-1995 to 9-4-1998 as deemed suspension period and hence the applicant be treated as on duty from 9-6-1995 to 9-4-1998 and on re-employment basis after the expected date of the retirement on superannuation i.e., 30-6-1995 with full protection of pay and allowance drawn by him as on 30-6-1995 with other attendant benefits like periodical increments and revision of pay scales as recommended by the Vth CPC;
 - (d) To direct the Respondents to revise the pension and refix it on the basis of entitlement of the Applicant for full pay and allowance during the period of deemed suspension till 9-4-1998;
 - (e) To direct the Respondents to pay gratuity, commutation of pension and other eligible benefits after the applicant is treated as having been reinstated consequent upon his discharge by the Criminal Court of IInd All.Judicial Magistrate, Eluru in C.C.No.242 of 1995 on 9-4-1998; and
 - (f) To determine the date of retirement of the Applicant in view of the Order of the deemed suspension issued and served on the applicant subsequent to 30-6-1995 and reinstatement consequent upon the discharge of the applicant on

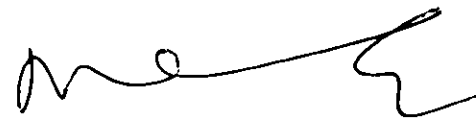
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9-4-1998, and to further direct the Respondents to pay interest on the monetary dues including any other benefits as may be determined by this Hon'ble Tribunal as compensation since the applicant has not been paid any subsistence allowance during the suspension period for over three years in the past."

3. It is now stated that the applicant is withdrawing this OA. He is permitted to do so.

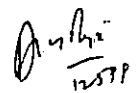
4. In view of the above, the OA is disposed of as withdrawn. No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL)
29-4-99


(R. RANGARAJAN)
MEMBER (ADMN)

DATED: this the 29th day of April, 1999

Dictated to steno in the Open Court


msp.

DSN