

6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

J A I P U R.

O.A. No. 54/94

Date of decision: 6.4.94

BHIM PRASAD

: Applicant.

VERSUS

UNION OF INDIA & ORS

: Respondents.

Mr. J.K. Kaushik

: Counsel for the applicant.

Mr. M. Rafiq

: Counsel for the respondents.

CORAM:


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

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE-CHAIRMAN:

The applicant was suspended and he prayed that the respondents may be directed to pay the subsistence allowance to the applicant from the date of suspension. He also prayed for interest.

2. The respondents have come with a case that the applicant was not cooperating in departmental proceedings and the penalty of removal from service was imposed on 26.5.93. It was also submitted that the applicant was not available, as such, the notice of imposition of penalty was pasted on the notice board on 10.6.93 and it should be considered as a proper service of the termination order. At the most the applicant can claim subsistence allowance upto 9.6.93 and cannot claim any subsistence allowance thereafter. He will be at liberty to file the fresh O.A. according to the rules or to take any action according to law challenging the removal order. However, no directions can be given for the payment of subsistence allowance of a period falling after 9.6.93. Subsistence allowance upto 9.6.93 should be paid within a period of three months from today.

3. The O.A. is disposed of accordingly, with no order as to costs.

  
( D.L. MEHTA )  
Vice-Chairman