
Date of Decision: 6.4.94.

OA 161/94

D.T. KARAMCHANDANI

... APPLICANT.

Vs.

UNION OF INDIA & ANR.

... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL IRISHNA, MEMBER (J).

HON'BLE MR. O.P. SHARMA, MEMBER (A).

For the Applicant

... SHRI S.K. JAIN.

For the Respondents

... ---

PER HON'BLE MR. GOPAL IRISHNA, MEMBER (J).

Applicant D.T. Karamchandani in this application u/s 19 of the Administrative Tribunals Act, 1985 (for short the Act), has prayed that the impugned order of suspension dt. 15.11.91 (Annexure A-1) alongwith the suspension of the applicant be revoked and the respondents be directed to reinstate the applicant with full back wages and all consequential benefits.

2. We have heard the learned counsel for the applicant and have perused the records.

3. The applicant was holding the post of Assistant Superintending Engineer in the Archaeological Survey of India till he was suspended from service by order dated 15.11.91 (Annexure A-1), which is being assailed on the ground that it should be revoked as no charge-sheet has been served to the applicant till date. It has also been contended on behalf of the applicant that he made several representations from time to time to the authority which passed the impugned order but they were not heeded to. The learned counsel for the applicant strenuously urged that since he has sought revocation of suspension, the requirement of Section 20 (1) of the Act may be dispensed with. What is in fact under challenge is the suspension of the applicant by order dated 15.11.91 (Annexure A-1). We do not find any exceptional reasons

Cknsr

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C. A. T. Bench, JAIPUR

Date of Order

Orders

OA 151/84

6.4.84


Sh. S. K. Jain, counsel for the applicant.

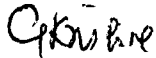
Heard. The OA has been disposed of by a separate order, which has been pronounced in the open court.

(D. P. Sharma)
Administrative Member

Gopal Krishna
Member (J.A.)

or grounds for dispensing with the requirement of the provisions contained in Section 20(1) of the Act. An appeal under Section 23 of the CCS (CCA) Rules, 1965 is provided against an order of suspension made or deemed to have been made under Rule-10 of these rules. An application against suspension in contemplation of disciplinary proceedings if presented without availing of the statutory remedies will not be maintainable. In the circumstance the present application is premature and it is dismissed at the admission stage. However, the applicant may file an appeal to the concerned appellate authority against the revocation of suspension within a week and if the same is filed it may be decided by the concerned appellate authority in accordance with law within a period of two months from the date of receipt of the appeal, if the same is filed within a period of seven days from today.


(G.P. SHARMA)
MEMBER (A)


(GOPAL KRISHNA)
MEMBER (J)