

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 185 of 1998

21.4.1999
DATE OF DECISION.....

Shri P.K. Mazumdar

(PETITIONER(S))

Mr A. Ahmed

ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

Union of India and others

RESPONDENT(S)

Mr A. Deb Roy, Sr. C.G.S.c.

ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN

THE HON'BLE MR G.L. SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.185 of 1998

Date of decision: This the 21st day of April 1999

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri Priti Kumar Mazumdar,
Assistant Surveyor of Works (under suspension),
Office of the Executive Engineer,
C.P.W.D., Guwahati.

.....Applicant

By Advocate Mr A. Ahmed.

- versus -

1. The Union of India, represented by the Secretary to the Government of India, Ministry of Urban Development, New Delhi.
2. The Director General (Works), C.P.W.D., New Delhi.
3. The Chief Engineer, North Eastern Zone, C.P.W.D., Shillong.
4. The Superintending Engineer, C.P.W.D., Assam Central Circle- 1, CPWD, Guwahati.

.....Respondents

By Advocate Mr A. Deb Roy, Sr. C.G.S.C.

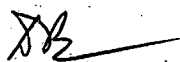
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O R D E R

BARUAH.J. (V.C.)

The applicant has filed this application challenging the Annexure 3 order of suspension dated 17.3.1997, because of a case pending before the Central Bureau of Investigation (CBI for short).

2. The Annexure 3 order of suspension dated 17.3.1997 was passed on the basis of a request made by the CBI by Annexure 2 letter dated 21.2.1997. Thereafter the suspension continued for the whole of 1997 and also for the year 1998. As per Annexure R/8 Office Memorandum

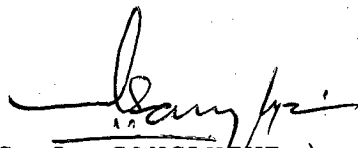


dated 14.9.1998 the case was reviewed in the month June 1998. Thereafter there was no review of his suspension. Hence the present application.

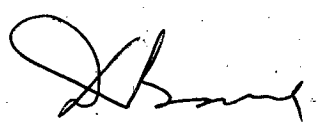
3. We have heard Mr A. Ahmed, learned counsel for the applicant and Mr A. Deb Roy, learned Sr. C.G.S.C. Mr Ahmed submits that after June 1998 there was no review of the suspension order. According to the learned counsel as per Government instructions it has to be reviewed periodically, but in this case after June 1998 nothing has been done. Mr Ahmed has also pointed out that the CBI, at whose instance the suspension order was passed, intimated the department by Annexure 5 letter dated 28.8.1997 that they have no objection in revoking the order of suspension of the applicant. In spite of that also the Annexure 3 order of suspension dated 17.3.1997 has not been revoked. Mr Deb Roy also submits that in view of the Annexure 5 letter dated 28.8.1997 the suspension order may be revoked.

4. Considering the submissions of the learned counsel for the parties we dispose of this application with direction to the respondents to revoke the Annexure 3 order of suspension dated 17.3.1997 as early as possible!

5. The application is accordingly disposed of. No order as to costs.



(G. L. SANGLYINE)
ADMINISTRATIVE MEMBER



(D. N. BARUAH)
VICE-CHAIRMAN