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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CHANDIGARH BENCH,
CHANDIGARH.**

O.A.No.060/00056/2014

Date of Decision : 05.03.2014

**CORAM: HON'BLE MRS. RAJWANT SANDHU, ADMINISTRATIVE MEMBER
HON'BLE DR. BRAHM A. AGRAWAL, JUDICIAL MEMBER**

Baljinder Singh, Ex-Sectional Officer, Engineer Department, Chandigarh Administration, U.T. Chandigarh, Resident of H.No.641, Milk Colony, Dhanas, U.T. Chandigarh.

Applicant

Versus

1. Chandigarh Administration through its Secretary, Engineering Department, Chandigarh Administration, U.T. Secretariat, Sector 9, Chandigarh.
2. Chief Engineer, Chandigarh Administration, U.T. Secretariat, Sector 9, Chandigarh.

Respondents

Present: Mr. Barjesh Mittal, counsel for the applicant
Mr. K.K.Thkaur, counsel for the respondents

ORDER (Oral)
BY HON'BLE MRS. RAJWANT SANDHU, MEMBER (A)


1. This Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985, on account of non consideration of the case of the applicant for reinstatement in service with all consequential benefits pursuant to the judgment passed by the Hon'ble Punjab & Haryana High Court in case titled "Abhyandra Kumar Gupta & Ors. Vs.



U.T. Chandigarh, in CRA-S No.191-SB of 1998 decided vide order dated 23.08.2013 (Annexure A-1) acquitting the applicant of the charges framed against him in FIR No.2 dated 04.06.1992 under Section 418, 420, 477 and 120-B of the Indian Penal Code, 1980 and Section 13(1) (c) and 2 read with 13(2) of the Prevention of Corruption Act, 1988 and setting aside the judgment / order of conviction and sentence dated 28.02.1998 passed by the Court of Special Judge, U.T. Chandigarh. Pursuant to his acquittal in the criminal appeal detailed above the applicant made a representation dated 14.10.2013 to the respondents apprising them of the order dated 23.08.2013 passed by the Hon'ble High Court acquitting him of the charges and setting aside the order of conviction and sentence against him and requesting for consideration of his case for reinstatement in service.

2. Although notice was issued to the respondent Department, reply has not been filed in the matter.

3. Today when the matter came up for consideration, Mr. Barjesh Mittal, learned counsel for the applicant requested for time bound direction to the respondent Department to decide the representation of the applicant dated 14.10.2013 (Annexure A-6). Mr. K.K.Thakur, learned counsel for the respondents does not oppose the request made by the learned counsel for the applicant.



4. In view of the position stated above and the fact that the applicant has been acquitted in the criminal case as per decision of the Jurisdictional High Court dated 23.08.2013 in CRA-S No.191-SB of 1998, we direct the respondents to immediately revisit the order dated 10.05.1999 through which the applicant was dismissed from service on account of his conviction on a criminal charge under Sections 418 IPC and Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988 and take necessary decision in the matter. Consequential benefits, if any, admissible to the applicant may also be released to him within a period of three months from the date of receipt of certified copy of this order. No costs.

(RAJWANT SANDHU)
ADMINISTRATIVE MEMBER.

(DR. BRAHM A. AGRAWAL)
JUDICIAL MEMBER

Place: Chandigarh
Dated: 05.03.2014

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