

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :: GUWAHATI :: 5.

ORIGINAL APPLICATION NO. 39/94

199

MISC.PETITION/CONTEMPT PETITION/REVIEW APPLICATION NO. (O.A.)

Shri H.L.Acharjee

APPLICANT (s)

VERSUS

Union of India & Ors.

RESPONDENT (s)

Mr H.Rahman

ADVOCATE FOR
APPLICANT (s)

Mr N.Barua

Mr B.K.Sharma, Rly. Advocate.

ADVOCATE FOR
RESPONDENT (s)

OFFICE NOTE

DATE

COURT'S ORDER

This application is in
form and within time.

C. F. of Rs. 50/-
deposited vide

IPO/BP No. 828769

Dated 21/2

3.3.94.

Learned counsel Mr H.Rahman
moves this application on behalf of
applicant Shri H.L.Acharjee with co-
to Railway counsel Mr B.K.Sharma.
Mr B.Mehta informs that Railway
counsel Mr B.K.Sharma could not com-
due to illness.

List on 10.3.94 for consider-
ation of admission in presence of
counsel of both sides.

Member

acs

10.3.94.

Heard learned counsel Mr H.
Rahman on behalf of applicant Shri
H.L.Acharjee. Also heard learned
Railway counsel Mr B.K.Sharma.

Applicant is facing discipli-
nary proceeding initiated vide
Memorandum No.C/Con/LM/Misc/93
(HLA-TTE-LMG) dated 27.7.93 (Annexu-
2). The applicant has submitted his

contd.

OFFICE NOTE	DATE	COURT'S ORDER
		contd.
	10.3.94.	reply dated 16.9.93(Annexure-3) against the charges. Thereafter, the applicant was placed under suspension vide Order No.C/Con/LM/Misc/93 (HLA-TTE-LMG) dated 14.10.93 (Annexure-4). This application assails the suspension order. Mr Rahman submits that the applicant has been suspended contemplating disciplinary proceeding which has not yet been initiated although four months have elapsed. Mr Sharma submits that the suspension order dated 14.10.93 is in respect of the disciplinary proceeding initiated 27.7.93. Learned Railway counsel Mr B.K.Sharma is allowed 10 days time to get definite instruction if the suspension order is in respect of the disciplinary proceeding initiated on 27.7.93.
		List on 23.3.94 for consideration of admission and further orders.
	acs	<i>Shaggs</i> Vice-Chairman 60 Member

16/3/94

(3)

OFFICE NOTE	DATE	COURT'S ORDER
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23.3.94

Learned counsel Mr H.Rahman could not come due to personal reasons. Mr J.L.Sarkar submits on behalf of Railway counsel Mr B.K.Sharma. Adjourned. List on 5.4.1994 for consideration of admission.


Vice-Chairman


Member

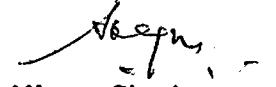
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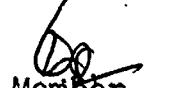


5.4.94.

Learned counsel Mr M.Chanda submits that Mr H.Rahman could not come due to personal difficulty. Learned Railway counsel Mr B.K.Sharma is present.

Adjourned. List on 7.4.94 for consideration of admission.


Vice-Chairman


Member

acs

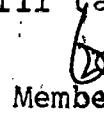


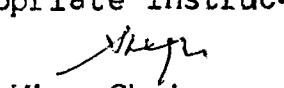
7.4.94.

Learned counsel Mr H.Rahman on behalf of applicant submits to list this case after Bihu Vacation.

List on 26.4.94 for consideration of admission and disposal.

Learned Railway counsel Mr B.K.Sharma will take appropriate instructions.


Member


Vice-Chairman

acs

OFFICE NOTE DATE COURT'S ORDER

OFFICE NOTE

DATE

C.O. T'S ORDER

7.4.94.

Learned counsel Mr H.Rahman

for the applicant submits that present he has got no instructions from the applicant and prays for time to get further instructions. We find no justification to give further time. Learned Railway counsel Mr B.K.Sharma receives instructions and submits that the impugned suspension order is concerned with the disciplinary proceeding initiated vide Memorandum No.C/Con/LM/Misc/93(HLA-TTE-LMG) dated 27.7.93 (Annexure-2). We accept this position. Therefore, we find no justification at this stage to interfere with the suspension order.

Accordingly, this application is rejected. The applicant will be liberty to approach this Tribunal if any fresh cause of action arise.


Vice-Chairman
Member

18.4.94
copy of order dtd.

7.4.94 issued to all
concerned by Regd.
Post ride D.A.O. 1595
to 1599 dtd. 20.4.94 (P.C.S.)


acs

OFFICE NOTE

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—C. T'S ORDER—