

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/BD No. 820769

Dated ... 21/4 ...

Mr. Registrar (d)

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 come due to illness.

List on 10.3.94 for consideration 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 disciplinary proceeding initiated vide Memorandum No.C/Con/LM/Misc/93 (HLA-TTE-LMG) dated 27.7.93(Annexure 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, applicant was placed under suspension vide Order No.C/Con/LM/Misc/9 (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.

Sharma  
Vice-Chairman60  
Member

acs

14/3/94

(3)

OFFICE NOTE

DATE

COURT'S ORDER

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.

*V. K. Singh*  
Vice-Chairman

*B. K. Sharma*  
Member

pg

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.

*V. K. Singh*  
Vice-Chairman

*B. K. Sharma*  
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.

*B. K. Sharma*  
Member

*V. K. Singh*  
Vice-Chairman

acs

OFFICE NOTE

DATE

COLLECTOR'S ORDER

4  
O.A. 39/94.

OFFICE NOTE


DATE


OBJ. T'S ORDER

7.4.94.

Learned counsel Mr H.Rahman for the applicant submits that presently 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 free to approach this Tribunal if any fresh cause of action arise.

  
Vice-Chairman

  
Member

acs

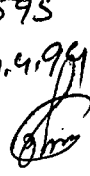
18.4.94

copy of order dtd.

7.4.94 issued to all concerned by Regd.

Post vide D/No. 1595

to 1599 dtd. 20.4.94

 B-6/4

OFFICE NOTE

DATE

CAL T'S ORDER