

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 3518 /2012

New Delhi, this the 27th day of August, 2015

Hon'ble Mr. Justice B.P. Katakey, Member (J)
Hon'ble Mr. V.N. Gaur, Member (A)

Sh. Yogesh Shandiliya
S/o Sh. D.C. Sharma
Age 49 years
R/o 598-F, Khajoori Extn.
Main Karwal Nagar Road,
East Delhi-110 094

....Applicant

(By Advocate: MS. Jasvinder Kaur)

Versus

Union of India & Others Though:

1. The Secretary
Ministry of Health & Family
Welfare (CGHS)
Nirman Bhawan, New Delhi
2. The Director General of
Health Services
Ministry of Health & Family
Welfare (CGHS)
Nirman Bhawan, New Delhi.
3. The Additional Director
Central Govt. Health Scheme
Headquarter,
9, Bikaner House, New Delhi.

... Respondents

(By Advocate: Mr. A.K.Singh)

ORDER (ORAL)

By Justice Mr. B.P. Katakey, Member (J):-

The applicant has filed this OA challenging the order of suspension dated 12.04.2012, passed by the Additional Director (HQ), CGHS, 9, Bikaner House, New Delhi-110011, in contemplation to the initiation of the disciplinary proceedings against him.

2. Ms. Jasvinder Kaur, learned counsel appearing for the applicant has placing on record two orders, one dated 21.11.2014

and other dated 12.12.2014 passed by the Additional Director(HQ), CGHS, Sec.12, R.K. New Delhi, has submitted that the disciplinary proceedings initiated against the applicant has ended with exoneration of the applicant from the charges leveled against him. It has also been submitted that despite the order passed by the disciplinary authority dated 21.11.2014, which has also been referred to in the order dated 12.12.2014, the pay and allowances for the period of suspension has not been paid to the applicant, though he has been reinstated in service.

3. Learned counsel appearing for the respondents submitted that since the order of suspension of the applicant has been withdrawn, the OA has become infructuous.

4. It has also been submitted by learned counsel appearing for the respondents that if any order has been passed by the disciplinary authority for the payment of pay and allowances for the period of suspension, the same would be paid.

5. Having regard to the submissions advanced, and aforesaid orders dated 12.12.2014 and 21.11.2014, which are placed on record by the learned counsel appearing for the applicant, we dispose of the OA, directing the authority to pay the pay and allowances to the applicant for the period of suspension, within three months from the date of receipt of a copy of this order, if not already paid.

6. The OA is, accordingly, disposed of.

(V.N.Gaur)
Member (A)

(B.P. Katakey)
Member (J)

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