

Central Administrative Tribunal
Principal Bench, New Delhi

OA No. 4424/2017

New Delhi this the 1st day of March, 2018

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)

Ajay Kumar Choudhary,
S/o Sh. Y.N. Choudhary,
Age-47 years,
R/o P-50A, Kotwali Road,
Delhi Cantt.-110010
Group 'A',

- Applicant

(By Advocate: Ms. Hansi Mainee)

Versus

1. Union of India
Through Defence Secretary,
Ministry of Defence,
South Block, New Delhi
2. Director General,
Defence Estates,
Raksha Sampada Bhavan,
Palam Airport, New Delhi
3. Central Bureau of Investigation (CBI)
ACB, Srinagar,
Guest House No.6,
Near MLA Hostel, MA Road,
Srinagar-190001

- Respondents

(By Advocate: Mr. Rajeev Kumar)

O R D E R (Oral)

Justice Permod Kohli:

Mr. Rajeev Kumar, learned counsel for the respondents, has placed on record copy of the order dated 23.02.2018 whereby suspension of the applicant vide impugned order dated 24.11.2017 has been revoked w.e.f. 25.02.2018. He submits that in this view of the matter, the Application is rendered infructuous.

2. Though the suspension of the applicant stands revoked, however, the authorities have not passed any consequential order in regard to the period of suspension as required under FR 54B which, *inter alia*, requires the competent authority to pass order regarding pay and allowances to be paid to the Government servant and for treating the period of suspension to be spent on duty or otherwise.

3. Learned counsel appearing for the applicant submits that mere revocation of suspension is not a complete compliance of the rules.

4. In the above circumstances, we dispose of this OA with direction to the respondents to pass an order in terms of FR 54B within a period of two weeks from the date of receipt of a copy of this order. Insofar as relief [b] is concerned, the same is not pressed at this stage, as the chargesheet has been issued. The applicant reserves the right to seek remedy as and when so required.

Order '**dasti**'.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

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