

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No. 304/2015

Dated : 7.12.2017

**CORAM: HON'BLE JUSTICE PERMOD KOHLI, CHAIRMAN  
HON'BLE SHRI R.VIJAYKUMAR, MEMBER (A)**

Bhaskarrao Pandurang Walimbe,  
503, A/4, Vikas Complex,  
Castle Mill Naka,  
Thane (W) - 400 601. . . . **Applicant**  
(By Advocate Shri R.R.Shetty)

***Versus.***

1. Union of India through  
The Secretary  
Government of India,  
Ministry of Environment & Forest,  
Paryavaran Bhavan,  
Jorbaug,  
New Delhi - 110003).
2. The Chief Secretary,  
Government of Maharashtra,  
Mantralaya,  
Mumbai-400032.
3. The Secretary,  
Ministry of Forest,  
Government of Maharashtra,  
Mantralaya,  
Mumbai-400032. . . . **Respondents.**  
(By Advocate Shri V.S.Masurkar)

**ORDER (ORAL)**

**Justice Permod Kohli, Chairman :**

The applicant has challenged the validity  
of impugned orders whereby the suspension of

the applicant has been extended from time to time. It is admitted case of the parties that during pendency of this petition, the suspension of the applicant was revoked vide order dt. 24.1.2017 w.e.f. 14.1.2017 i.e. on expiry of the extended period of suspension which expired on 13.1.2017. The applicant also retired from service on attaining superannuation on 31<sup>st</sup> May, 2017. Thus, the only dispute that remains is treating the period of suspension. The applicant was suspended on being arrested on registration of a criminal case against him under Prevention of Corruption Act. The suspension was ordered vide order dt. 19<sup>th</sup> August, 2014 and deemed to be w.e.f. 18<sup>th</sup> July, 2014 i.e. from the date of arrest which continued beyond 48 hours. Sanction for prosecution has also been granted. On retirement, provisional pension is being paid to the applicant. Insofar as the treatment of the period of suspension is concerned, it can only be decided on termination of criminal proceedings in accordance with law. In this view of the matter, we dispose

of the petition with a direction to pass appropriate order on termination of the criminal proceedings in accordance with the rules.

**(R. Vijaykumar)**  
**Member (A)**

**(Justice Permod Kohli)**  
**Chairman**

**B.**