

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00555/2019
Chandigarh, this the 27th day of May, 2019

...
CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

...
Prem Sagar aged about 53 years son of Shri Brij Lal, resident of House No. 216/8, Mahavir Street, Samana Mandi, District Patiala (Category-C) - 147001

....Applicant

(Present: Ms. Puja Chopra, Advocate)

Versus

1. Union of India through Revenue Secretary to Government of India, Ministry of Finance, North Block, New Delhi – 110001.
2. The Principal Chief Commissioner of Income Tax, North West Region, Ayakar Bhawan, Sector 17-E, Chandigarh – 160017.
3. Principal Commissioner of Income Tax, Ludhiana I, 141057
4. Additional Commissioner of Income Tax, Range III Ludhiana - 141057

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Respondents

(Present: Mr. Sanjay Goyal, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. The present O.A. has been filed by the applicant seeking issuance of a direction to the respondents to reinstate him into service. The alternative prayer of the applicant is for issuance of a direction to the respondents to decide his representations and address his grievance.

2. Learned counsel submitted that the services of the applicant were terminated on the charge of obtaining employment by supplying forged nomination letter, purportedly issued by the SSC, which was a subject of a criminal case against him. He submitted

that the applicant had been convicted in that criminal case (C.C. No. 11 of 8.9.2003) vide order dated 16.05.2011 (Annexure A-4) by the Special Judge, CBI Punjab, Patiala, but later on he, along with other accused, was acquitted vide order dated 10.05.2016 passed by the Hon'ble High Court of Punjab and Haryana in Criminal Appeal No. S1508-SB of 2011. It is further submitted that the applicant, immediately thereafter, made representation dated 30.08.2016, followed by three others dated 06.10.2017, 22.12.2017 and 13.11.2018 (Annexure A-5 colly and A-6 colly) for his reinstatement into service, in view of his acquittal in the criminal case, but no decision has been taken till date. Learned counsel argued that once the applicant has been acquitted in criminal case, on the basis of which he was removed from service, his case for reinstatement is required to be examined in view of the changed circumstances.

3. Learned counsel makes a statement at the bar that the applicant would be satisfied if the respondents are directed to consider and decide the representations of the applicant in the light of his acquittal in the criminal case, by passing a reasoned and speaking order.

4. Issue notice.

5. At this stage, Mr. Sanjay Goyal, Sr. CGSC, appears and accepts notice. He does not object to the disposal of the O.A. in the above terms.

6. In the wake of above, the O.A. is disposed of, with a direction to the respondents to take a call and decide the indicated

representations to reinstate him into service, in view of the fact of his acquittal in criminal case, within a period of two months from the date of receipt of a copy of this order.

7. Needless to mention, that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case.

No costs.

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 27.05.2019

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