CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1380/2003

Friday, this the 30th day of May, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri Govindan S. Tampi, Member (A)

Mr. M.B.Pahari
Dy.Director General
Doordarshan Kendra
Mandi House, New Delhi

..Applicant

(By Advocate: Smt. Meenu Mainee for Shri B.S.Mainee)

Versus

Union of India through

1.   the Secretary
        Min. of Information & Broadcasting
        Shastri Bhawan, New Delhi

2.   the Chief Executive Officer
        Prasar Bharati
        PTI Building
        Parliament Street
        New Delhi

..Respondents

O R D E R (ORAL)

Shri Justice V.S.Aggarwal:

The grievance of the applicant is that in pursuance of the criminal case that was registered against him, he was suspended. He remained in custody for more than forty eight hours. Under sub-rule 2 to Rule 10 of CCS (CCA) Rules, an order was passed. According to the learned proxy counsel, thereafter no fresh order has ben passed reviewing the same after the applicant has been admitted to bail.
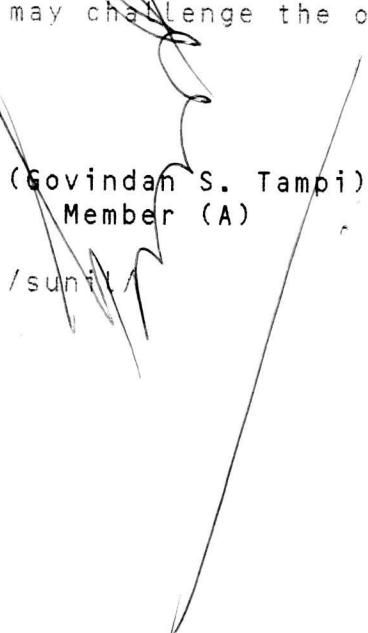
2.   Learned proxy counsel for applicant in this regard relies upon the decision of the Delhi High in the case of Rajiv Kumar Vs. Union of India (CWP-4746/2001) decided on 31.5.2002 and also of this Tribunal in Ashok Kumar Aggarwal Vs. Union of India (OA-783/2000) decided on 17.1.2003.

3.   If the matter has ended here, there would have been little difficulty. However, the decision rendered by the Delhi High Court has been questioned by the Union of India before the Supreme Court. The Apex Court in Appeal (CC-1181/2003) had directed that in case fresh order has not been passed, the decision rendered by the Delhi High Court in Rajiv Kumar's case (supra) should be kept in abeyance.

4.   Keeping in view the order passed by the Supreme Court during the pendency of the Appeal, we dispose of the present application only stating that after the decision of the Apex Court, if so advised, the applicant may challenge the order so passed.

(Govindan S. Tampi)   (V.S. Aggarwal)
    Member (A)   Chairman

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