

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1769/2003

New Delhi, this the 17th day of July, 2003

Hon'ble Sh. Shanker Raju, Member (J)

Sunil Kumar Chaudhary (Asstt. Divl. Officer)
S/o Sh. Sona Ram Chaudhary
R/o D-122, Mahendru Enclave
Opposite Model Town-III
Delhi - 110 033.

...Applicant

(By Advocate Sh. S.K.Gupta)

V E R S U S

Govt. of NCT of Delhi : through

1. Chief Secretary
Delhi Secretariat
I.G.Stadium, I.P.Estate
New Delhi - 110 002.
2. The Principal Secretary (Home)
Govt. of NCT of Delhi
Delhi Secretariat
I.G.Stadium, I.P.Estate
New Delhi - 110 002.
3. Chief Fire Officer
Delhi Fire Service
Fire Headquarters
Connaught Circus
New Delhi - 110 001.

...Respondents

O R D E R (ORAL)

Shri Shanker Raju,

Applicant impugns respondents order dated 6-5-2003 wherein suspension has been revoked without deciding the period from 12-7-2001 till 6-5-2003. Applicant who was involved along with one Sh. Shishpal Tyagi in C.C.No. 16/2002, by a judgement dated 18-11-2002, applicant as well as Shish Pal Tyagi have been acquitted, as the prosecution has failed to bring home the guilt of the accused by adducing any cogent, sufficient, reliable and believe-worthy evidence.

2. Sh. Shish Pal Tyagi in consequence by an order dated 27-12-2002 was reinstated back after

-2/-

revocation of his suspension and the period of suspension w.e.f. 12-7-2001 till the date of issuance of the order has been treated as period spent on duty.

3. Applicant alleges discrimination and further states that as per FR 54, it is incumbent upon the respondents to have decided the period of suspension.

4. In this view of the matter, ends of justice would met if the present OA is directed to be treated as representation of the applicant. Respondents are further directed to take a decision regarding suspension period of the applicant keeping in view the order passed on 27-12-2002 in the case of co-accused Sh. Shish Pal Tyagi. This exercise should be completed by passing a detailed and speaking order within one month from the date of receipt of a copy of this order.

5. OA stands disposed of as above at the admission stage.

S. Raju

(SHANKER RAJU)
MEMBER (J)

/vks/