

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2298/2003

Friday, this 19th day of September, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman  
Hon'ble Shri R.K. Upadhyaya, Member (AO)

Shri Viresh Saxena  
s/o Late Shri Parmanand Saxena  
Sub Divisional Engineer (Phones)  
Under General Manager  
Telecom District, Sector 19  
NOIDA, Distt. Gautam Budh Nagar (UP)

..Applicant

(By Advocate: Shri B.S.Mainee)

Versus

Union of India through

1. The Secretary, DOI  
Ministry of Communications  
Sanchar Bhawan  
Ashok Road, New Delhi
2. The Member Services  
Telecom Commission  
Ministry of Communication  
Sanchar Bhawan  
Ashok Road, New Delhi
3. The General Manager  
Telecom Distt.  
Gautam Budh Nagar  
Sector 19, NOIDA (UP)

..Respondents

**O R D E R (ORAL)**

**Shri Justice V.S.Aggarwal:**

The applicant was working in the Ministry of Communication, Department of Telecommunication. He had been arrested in a case punishable under Sections 420/467/468-A/408 read with Section 12-B of the Indian Penal Code besides Section 13 (1) (D) read with Section 13 (2) of the Prevention of Corruption Act. He was tried by the learned Special Judge, Meerut. During the pendency of those proceedings, the applicant has been suspended. Learned Special Judge, Meerut acquitted the applicant on 12.5.2003. Thereafter, the applicant had submitted a

*VS Ag*

(2)

representation to the authorities seeking withdrawal of the suspension order and reinstatement with consequential benefits. According to the learned counsel for applicant, till date no decision in this regard has been taken.

2. Keeping in view the above facts and when the rights of the respondents are not likely to be affected, without issuing notice at the threshold, the petition can be disposed of.

3. It is directed that the applicant, within fifteen days from today, would file a proper representation to respondent No.2. Thereupon, respondent No.2 will take a conscious decision and pass an appropriate order preferably within the next three months of the receipt of the certified copy of the present order.

4. OA is disposed of.

U. B. Agarwal

(R.K.Upadhyaya)  
Member (A)

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V. S. Aggarwal

(V.S. Aggarwal)  
Chairman