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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2421/2003
M.A.NO.2074/2003

Monday, this the 30th day of September, 2003

Hon'ble Shri Justice V.S.Aggarwal, Chairman
Hon'ble Shri S. K. Naik, Member (A)

1. Sh. Jag Mohan, s/o Jeet Ram
Intelligence Officer Under Suspension
R/o H.No.361-P, Sector 14, Gurgaon
2. Sh. Shrikant Pandey
Intelligence Officer Under Suspension
c/o Sh. Jagmohan
r/o H.No.361-P, Sector 14, Gurgaon

. . . Applicants

(By Advocate: Shri M.L.Chawla)

Versus

1. Union of India through
Secretary, Ministry of Finance
(Income Tax Department)
Govt. of India, North Block, New Delhi
2. Secretary
Govt. of India
M/o Home Affairs, Deptt. of Internal Security
(Narcotics Control Bureau)
North Block, New Delhi
3. Director General
Govt. of India
Ministry of Home Affairs
Narcotics Control Bureau Headquarters
West Block No.1, Wing No.5
R.K.Puram, New Delhi
4. Chief Commissioner of Income Tax
Aayakar Bhawan, Sadhu Vaswani Road
Pune-411 037

. . . Respondents

O R D E R (ORAL)

Shri Justice V.S.Aggarwal:

MA-2074/2003

MA-2074/2003 is allowed subject to just exceptions. Filing of joint application is permitted.

OA-2421/2003

Learned counsel for applicants states that so far as the question of repatriation of the applicants is

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concerned, he may be permitted to withdraw the petition with liberty to file the fresh one in case the need arises.

2. Allowed as prayed. Qua the relief in paragraph 8.1, therefore, the petition is dismissed. The applicant, if so advised, may file a separate petition:

3. As regards the other contentions, the applicants had been arrested. In exercise of powers under sub-rule (2) of Rule 10 of the Central Civil Services (Classification, Control & Appeal) Rules, 1965 ~~an~~ an order of deemed suspension qua the applicants had been passed. The applicants contend that subsistence allowance in this regard has not been paid, nor has any order been passed.

4. At this stage when the rights of the respondents are not likely to be affected, we deem it unnecessary to give show cause notice while disposing of the petition.

5. It is directed that respondent No.3 would consider and pass an appropriate order pertaining to the subsistence allowance, if any, due to the applicants. It should be a speaking order which should be communicated to the applicants preferably within two months of the receipt of a certified copy of the present order.

6. Subject to aforesaid, OA is disposed of.

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(S. K. Naik)
Member (A)


(V. S. Aggarwal)
Chairman

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