

Central Administrative Tribunal, Principal Bench

Original Application No.2756 of 2003

New Delhi, this the 14th day of November, 2003

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

Bhim Sain,
S/o late Shri Chanan Ram,
R/o A-1A/49A, Janak Puri,
New Delhi-58

....Applicant

(By Advocate: Shri Rajeev Bansal)

Versus

1. Union of India,
through its Secretary,
Ministry of Communications &
Information Technology,
Department of Telecommunications,
Sanchar Bhawan,
New Delhi.

2. The Member Services,
Ministry of Communications &
Information Technology,
Department of Telecommunications,
Sanchar Bhawan,
New Delhi.

....Respondents

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

The applicant joined as a Phone Inspector in the year 1967. In March, 1998, he was working as Directory Officer on deputation with M.T.N.L. He was arrested by the C.B.I. He was admitted to bail on 1.4.98 by the Special Judge, Delhi. He was placed under deemed suspension invoking sub-rule 2 to rule 10 of C.C.S. (C.C.A.) Rules. By virtue of the present application, he seeks quashing of the orders passed on 22.4.98 under sub-rule 2 to rule 10 of the Rules referred to above. It is contended that in the disciplinary enquiry, the applicant has been exonerated in case of Telephone No.510-5961 and that the two co-accused of the applicant have since been reinstated. However the

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applicant has continued to be under suspension and his subsistence allowance has since been raised.

2. In the facts and circumstances of the present case, it would be appropriate at this stage without affecting the rights of the respondents to direct that respondents should conduct the periodic review taking stock of the totality of facts and circumstances and pass appropriate orders in accordance with law. We order accordingly. O.A. is disposed of.

(S.K. Naik)
Member (A)

(V.S. Aggarwal)
Chairman.

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