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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No.3143 OF 2003

New Delhi, this the 31th day of December, 2003

HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN  
HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

Shri M.B. Pahari  
Dy. Director General  
Doordarshan Kendra,  
New Delhi.

....Applicant

(By Advocate : Shri B.S. Mainee)

Versus

Union of India : Through

1. The Secretary,  
Ministry of Information & Broadcasting,  
Shastri Bhawan,  
New Delhi.

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

....Respondents

ORDER (ORAL)

SHRI-JUSTICE V.S. AGGARWAL:-

The applicant had been suspended. The reason for the same, as informed, is that a criminal case has been registered against the applicant and he remained in custody for more than 48 hours. It is not disputed that the Supreme Court had upset the decision of the Delhi High Court in the case of Rajiv Kumar Vs. Union of India (CWP - 4746/2001) decided on 31.5.2002.

2. Keeping in view the aforesaid, learned counsel of the applicant contends that the applicant was suspended on 11.8.1999. There is no periodic review that is being conducted pertaining to the suspension of the applicant.

*AS Ag*

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3. When the rights of the respondents are not likely to be affected, we deem it unnecessary to issue any show cause notice while disposing of the present Original Application.

4. ---Taking stock of the above facts, it is directed that the disciplinary authority would consider the claim of the applicant in accordance with the instructions, namely, periodical review of the suspension and communicate the said order to the applicant.

5. ---The present Original Application is disposed of at the admission stage itself.

R.K. Upadhyaya  
(R.K. UPADHYAYA)  
ADMINISTRATIVE MEMBER

V.S. Aggarwal  
(V.S. AGGARWAL)  
CHAIRMAN

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