

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 1908 OF 2016

Union of India
& others

.. PETITIONERS

VERSUS

Rajendrakumar s/o Anantrao Sawant

.. RESPONDENT

Mr. D.G. Nagode, advocate for petitioners.

Mr. C.S. Tembhornikar, advocate for respondent.

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**CORAM : R.M. BORDE &
Z.A. HAQ, JJ.**

DATE : 9th DECEMBER, 2016.

PER COURT :

Petitioner - Union of India is objecting to the order passed by the Central Administrative Tribunal in Original Application No. 97/2014 decided on 27.11.2015.

2. Respondent-employee had approached the tribunal objecting to the order dated 24.12.2012 passed by the Superintendent of Postal Offices, Parbhani, directing his suspension in contemplation of departmental proceeding. The Central Administrative Tribunal, while dealing with the challenge, has observed that neither any criminal case is initiated or pending against the employee and, inspite of passage of three years period from the date of issuance of order of suspension, no departmental proceedings have been initiated. It is also observed that there is inordinate delay in initiation of departmental proceeding against the employee without any justifiable cause and, taking note of these circumstances, the Central

Administrative Tribunal proceeded to direct quashment of the order dated 24.12.2012 passed by the Superintendent of Postal Offices, Parbhani, directing suspension of the employee. Even after passage of about four years from the date of issuance of the order by the Superintendent of Post Offices, Parbhani, enquiry proceedings have not yet been completed.

3. In this view of the matter, the order passed by the Central Administrative Tribunal deserves to be maintained. It shall be obligatory on the part of the petitioner to comply with the directions issued by the Central Administrative Tribunal and re-instate respondent-employee forthwith. Grievance is made by learned counsel for employee that petitioner is not paid suspension allowance within contemplation of the rules and lesser amount is paid. The difference amount payable to the employee in accordance with the rules shall be paid within a period of three months from today.

4. In view of reasons recorded above, no interference is called for. Petition is devoid of substance hence stands rejected.

(Z. A. HAQ)
JUDGE

(R. M. BORDE)
JUDGE