

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE G.SHYAM PRASAD**

-
WRIT PETITION No.20374 of 2016

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Date:24.06.2016

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Between:

Union of India,
Rep. by its General Manager,
South Central Railway,
Rail Nilayam, Secunderabad,
and others.

.. Petitioners

and

The Central Administrative Tribunal,
Hyderabad Bench,
Rep. by its Registrar,
and another.

..
Respondents

Counsel for the Petitioners: Mrs. Chintalapudi Lakshmi Kumari

Counsel for Respondents : --

THE COURT MADE THE FOLLOWING:

ORDER: (*Per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This writ petition is filed for certiorari to quash order, dated 09.02.2016, in O.A.No.795 of 2015 on the file of the Central Administrative Tribunal at Hyderabad Bench, Hyderabad (for short, 'the Tribunal').

Respondent No.2, who is Senior Section Engineer, O/o. Coaching Depot, was involved in a criminal case leading to his judicial remand. As he has absented from duty, he was placed under suspension from 20.04.2013. On a representation made by him, the order of suspension was revoked on 21.08.2014 with effect from 23.04.2013. Although he was aware of the order revoking his suspension, he did not report to duty till 02.11.2014. As respondent No.2 was not paid subsistence allowance/pay and allowances during the period from 23.04.2013 to 02.11.2014, he has approached the Tribunal by filing O.A.No.795 of 2015. By the aforementioned order, the Tribunal has partly allowed the O.A by holding that as the petitioner's suspension was revoked with retrospective effect i.e., from 23.04.2013, he is entitled to full salary till the date of revocation i.e., 21.08.2014. As regards the period from 22.08.2014 to 02.11.2014, during which he did not report to duty, the Tribunal has left the respondents free to take a decision by following appropriate procedure.

Having carefully considered the facts as noted above and the reasons in support of the order passed by the Tribunal, we are of

the opinion that the impugned order does not suffer from any illegality and, hence, the Writ Petition is dismissed.

As a sequel to dismissal of the writ petition, WPMP.No.24989 of 2016 filed by the petitioners for interim relief is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD,J

24.06.2016

v v