

(2021) 11 CAT CK 0028

In the Central Administrative Tribunal

Case No : Original Application No. 330, 00829 Of 2021

Rajesh Singh

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 15-11-2021

Acts Referred:

Citation : (2021) 11 CAT CK 0028

Hon'ble Judges : Tarun Shridhar, Member (A); Pratima K Gupta, Member (J)

Bench : Division Bench

Advocate : Anil Kumar Singh, Rohit Singh, Chakrapani Vatsyayan

Final Decision : Disposed Of

Judgement

Tarun Shridhar, Member (A)

1. Delivered by Hon'ble Mr. Tarun Shridhar, Member (A) The applicant is aggrieved by an order vide which he has been removed from service. This order is consequent to his conviction in a criminal case wherein he was directed to undergo rigorous imprisonment of seven years. Learned counsel for the applicant points out that the Hon'ble High Court in Criminal Misc. Application No. 17/2020 has suspended the execution of this sentence till further orders. He further submits that the relief accorded by the Hon'ble Court to the applicant is on the similar ground that he being a government employee may not be able to continue with his services, in case his sentence was not suspended. Learned counsel for the applicant further submits that the applicant has preferred an appeal dated 19.02.2020 against the order of removal of his service, which finds mention at Annexure -7 (page 43 of OA). At this stage, learned counsel for the applicant submits that the applicant would be satisfied, if a direction is given to the competent authority amongst the respondents to take a considered and time bound decision on the appeal.

2. On the other hand, learned counsel for the respondents points out that he would like to file a comprehensive reply and also submits that the applicant

stands convicted and it is only the execution of sentence that has been stayed.

3. After hearing learned counsel for both the parties, we feel that in view of the limited prayer made by the learned counsel for the applicant at this juncture, it would be appropriate to dispose off this OA at the admission stage itself by way of a direction to the respondents to decide the pending appeal of the applicant, which has been referred to above.

4. Accordingly, the OA stands disposed off. The competent authority amongst the respondents is directed to take a well considered decision on the appeal of the applicant dated 19.02.2020 within a period of six weeks from the date of receipt of certified copy of this order.

5. No order as to costs.

6. It is made clear that we have not expressed any opinion on merits of the case.