

Central Administrative Tribunal, Principal Bench

Original Application No.258 of 2002

New Delhi, this the 6th day of November, 2002

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. S.A.T. Rizvi, Member(A)

1. Shri Virender Kumar Sharma  
S/o Shri G.R. Sharma  
R/o WZ-88-A, Gali No.3,  
Ram Chowk, Sad Nagar,  
New Delhi-22
2. Shri Rakesh Sharma  
S/o late Shri R.S. Sharma,  
R/o 7/164, Gita Colony,  
Delhi-31
3. Shri Adarsh Sharma  
S/o Shri B.N. Sharma  
R/o C-43, PS Vasant Vihar,  
New Delhi-22
4. Shri Dinesh Chander  
S/o Shri Jagdish Parshad Pandura,  
R/o 828, Sector-3, R.K.Puram,  
New Delhi-22
5. Shri Sunil Kumar  
S/o late Shri Ram Kumar  
R/o RZ-195, A Block, Gopal Nagar  
Najaf Garh,  
New Delhi-43
6. Shri Gurkirat Singh Kohli,  
S/o late Shri Jagdish Singh Kohli  
R/o 834, Sector - 3, R.K.Puram,  
New Delhi-22
7. Shri Satvir Singh  
S/o Shri Rajinder Singh,  
R/o 1056, Lucknow Road,  
Timarpur, Delhi
8. Shri Hari Dutt  
S/o late Shri Hansa Dutt  
R/o P-91, Chandra Shekhar Azad Colony,  
Kishan Ganj,  
Delhi-7
9. Shri Balbir Singh  
S/o Shri Santokh Singh  
R/o F-225 A, G.T.B. Enclave,  
Delhi-93
10. Shri Man Mohan Sahni  
S/o late Shri Mulakh Raj Sahni  
R/o H.No.G-254, Rishi Nagar,  
Rani Bagh,  
Delhi-34

11. Mohd. Amjad Khan  
S/o Shri Imamuddin,  
R/o A-21, Palika Niwas,  
Lodhi Colony,  
New Delhi-3

....Applicants

(By Advocate: Shri G.D.Gupta, Sr. Counsel with  
Shri S.D.Raturi)

Versus

1. Union of India  
through the Government of India  
Ministry of Home Affairs,  
North Block,  
New Delhi-11
2. Government of National Capital  
Territory of Delhi  
through the Chief Secretary,  
5, Sham Nath Marg,  
Delhi-54
3. The Commissioner of Police,  
Police Headquarters,  
MSO Building, I.P. Estate,  
New Delhi-2
4. The Deputy Commissioner of  
Police (Headquarters)  
Police Headquarters,  
MSO Building, I.P. Estate,  
New Delhi-2

....Respondents

(By Advocate: Shri Ram Kavar)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

The applicants are ASI Stenos in Delhi Police. By an order dated 13.11.97 (Annexure A-2), their pay scales were revised from Rs.1400-2300 to Rs.5000-8000 w.e.f. 1.1.96. The grievance of the applicants is that without any show cause notice or any opportunity in this regard, their pay scales have been reduced unilaterally to Rs.4500-7000 and that too from 1.1.96.


2. The principle of law is well settled and does not require further elucidation that orders having civil consequences, more so where the pay and scale of a person

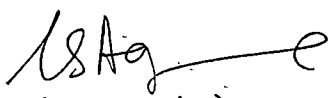
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is reduced, should only be passed after giving him a due opportunity and show cause in this regard.

3. Admittedly, in the present case, no show cause notice has been issued by the respondents to the applicants and, therefore, it becomes unnecessary for us to ponder and delve into other controversies.

4. Accordingly we allow the present application and quash the impugned order dated 9.1.2002. The competent authority will issue a show cause notice in this regard if they so desire. The applicants will have a right to reply and thereupon a speaking order in this regard, if required, would be passed with consequential benefits, if any, in accordance with law and rules on the subject.

  
( S.A.T. Rizvi )  
Member(A)

  
( V.S. Aggarwal )  
Chairman

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