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Central Administrative Tribunal, Principal Bench

Original Application No.1233 of 2002

New Delhi, this the 23rd day of September, 2003

Hon'ble Mr. Justice V.S. Aggarwal, Chairman

Hon'ble Mr. R.K. Upadhyaya, Member (A)

Shri Tej Pal Singh Maan
S/o Shri Jai Singh,
R/o C-74, -A, Gali No.8,
Khajuri Khas, Delhi-94

.... Applicant

(By Advocate: Shri Satender Verma)

Versus

1. Govt. of NCT of Delhi,
Through the Directorate of Education,
Old Secretariat, Delhi-54
2. The Principal,
Govt. Boys Senior Secondary School No.1
Shakti Nagar, Delhi

.... Respondents

(By Advocate: Sh. Mohit Madan, proxy for Mrs. Avnish Ahlawat)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

By virtue of the present application, the applicant seeks quashing of the orders of 17.5.2001 and 20.12.2001 whereby his salary has been reduced.

2. We only need mention that on an earlier occasion in O.A.3137/2001 decided on 21.11.2001, this Tribunal between the parties had directed that a speaking order should be passed. Thereafter the subsequent order dated 20.12.2001 has been passed.

3. During the course of submissions, it was transpired that while passing such orders, no show cause notice has been served to the applicant. When civil rights are involved and affected, it is necessary that such a notice should have been served.

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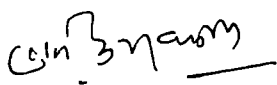
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4. Accordingly we dispose of the present application without dwelling into any other controversy directing:

- (a) the impugned orders are quashed;
- (b) before passing any such order, a show cause notice should be served to the applicant; and
- (c) after the reply which must be filed within 15 days of the receipt of the same, the respondents may pass a speaking order which should be communicated to the applicant.

O.A. is disposed of.


(R.K. Upadhyaya)
Member (A)


(V.S. Aggarwal)
Chairman

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