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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO. 1020/2001  
M.A. NO. 880/2001

New Delhi this the 26th day of April, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

1. Rajeev Kumar Sharma, Examiner.
2. Bipin Bihari dubey, Examiner.
3. Pradeep Kumar Rastogi, Examiner.
4. Rojar's Anup J. Nath,  
General Fitter.
5. Roop Chand Tyagi, Examiner.
6. Babu Ram, Machinist.
7. Pawan Kumar Sharma,  
General Fitter.
8. Mehar Chand, Machinist.
9. Abdul Sattar Mandal,  
General Fitter.
10. Tilak Ram, Turner.
11. Kaushal Singh, Turner.
12. Naresh Dargan, Examiner.
13. Ompal Singh, Borer.
14. Satbir Singh, Borer.
15. Avesh Kumar Bhatnagar, Examiner.
16. Prem Pal Agarwal, Turner.
17. Duli Chand Verma, Turner,
18. Parshu Ram Yadav, General Fitter.
19. Satish Kumar Sharma, General fitter.
20. Ravi Bhushan Tyagi, General Fitter.
21. Anil Kumar Kaushik, Examiner.
22. Yasin, Painter.
23. Rajesh Kumar, Turner. ... Applicants

( By Shri B.S. Maine, Advocate )

-versus-

1. Union of India through  
Secretary, Ministry of Defence,  
Government of India,  
New Delhi.
2. Chairman, Ordnance Factories,  
Calcutta.
3. General Manager,  
Ordnance Factory,  
Moradnagar (UP). ... Respondents

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

MA No. 880/2001 for joining together in a single  
application is granted.

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Based on instructions of 15.10.1984 at Annexure A-2, applicants who were working in the semi-skilled grade Rs.210-290 were upgraded to the skilled grade Rs.260-400. By the impugned notice of 16.2.2001 at Annexure A-1 applicants are called upon to show cause why the aforesaid upgradation be not cancelled. Aforesaid notice is based on two letters - one of 23.9.1993 and the other of 4.9.2000 - which appear to be the basis of initiating the aforesaid action. Applicants, by communication of 23.2.2001 at Annexure A-5 have requested the respondents to serve them copies of the aforesaid letters so as to enable them to submit their representations. They also claimed extension of time to put in their reply. By an order passed on 29.3.2001 at Annexure A-6 time to submit reply as prayed, has been granted. However, copies of the aforesaid letters of 23.9.1993 and 4.9.2000 have not been supplied. Applicants, in the circumstances, apprehend that action of withdrawing the aforesaid upgradation may be taken without service of the said letters. This would have the effect of an adverse order being passed without affording them adequate opportunity to show cause.

2. In the circumstances, we find that the interest of justice will be duly met by disposing of the present OA at this stage itself without even issue of notices with a direction that respondents will not pass adverse orders against applicants based on the aforesaid notice of 16.2.2001 at Annexure A-1 till

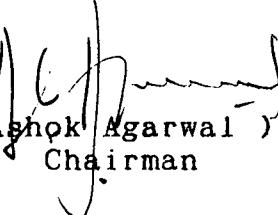
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such time that adequate opportunity is given to the applicants to show cause after service of copies of the aforesaid letters. We order accordingly.

Issue Dasti.

  
( S.A.T. Rizvi )

Member (A)

  
( Ashok Agarwal )  
Chairman

/as/