

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.144/2001

New Delhi, this 30th day of August, 2001

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri M.P.Singh, Member (A)

Shri H.B.D. Wadhwa
S/o Late Shri Ram Kishan Wadhwa,
Assistant, O/O SQAE (S) NI Anand Parbat
New Delhi, Ministry of Defence, New Delhi-91.

(By Shri M.L. Chawla, Advocate)

.... Applicant

versus

Union of India : Through

1. The Secretary,
Ministry of Defence,
South Block, New Delhi.
2. Director General Quality Assurance
Deptt. of Defence Production (DGQA/Adm-7B)
Ministry of Defence (DGQA),
Government of India, South Block,
DHQ Post Office, New Delhi- 110011.
3. P.C.D.A. (WC) Chandigarh,
Sector-9, Chandigarh.
4. Accounts Officer (Pay) (WC)
Delhi Cantt - 110010.
5. Sr. Quality Assurance Estt (S),
Ministry of Defence (DGQA) Anand Parbat,
New Delhi.

(By Shri R.N. Singh, Advocate along with
Shri A.C. Maghi, Admn. Officer, Deptt.
Representative)

.... Respondents

O R D E R (oral)

By Shri Justice Ashok Agarwal:

Applicant has come up before the Tribunal with a grievance that by the impugned order passed on 20.12.2000 (Annexure A-1), his pay has been reduced from Rs.6,500/- to Rs.6,350/- and from Rs.6,6,50/- to Rs.6,500/- with retrospective effect from 1.6.1999 and 1.6.2000 respectively. This, according to the applicant, has been done without notice and ~~not~~ ^{without} affording any opportunity to show-cause. Moreover, according to the applicant, no reasons have been assigned for the aforesaid reduction in his pay scale.

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2. The applicant has submitted two representations against the aforesaid deduction on 29.8.2000 (Annexure A-3) and 27.12.2000 (Annexure A-5). Without awaiting orders on the representations and without giving reasonable time to the respondents to dispose of the representations, the applicant has instituted the present OA on 15.1.2001. ^{Since recoveries of alleged excess payments were being made from account of recoveries which were said to have been made from him,} ~~keeping an~~ the applicant has obtained an interim order of stay against the respondents on 22.1.2001.

3. We have heard learned counsel for the contesting parties and we find that having regard to the aforesaid facts and circumstances of the case, ~~the~~ ends of justice will be ~~duly~~ met by disposing of the present OA with a direction to the respondents to pass a speaking and a reasoned orders on the aforesaid representations of 29.8.2000 and 27.12.2000 and communicate their decision to the applicant as expeditiously as possible but in any event within a period of four months from the date of receipt of a copy of this order. We further direct that pending the decision on the aforesaid representations, the interim order of stay which has been passed on 22.1.2001 restraining the respondents from making recoveries from his pay, will continue for a period of four months ^{after} ~~till~~ the communication of the orders by the respondents ^{on the applicant} on his representations.

4. Present OA is disposed of in the aforesaid terms.
No order as to costs.

(M.P. Singh)
Member(A)

(Ashok Agarwal)
Chairman

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