

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2109/2001

New Delhi this the 17th day of January, 2002

Hon'ble Shri S.R. Adige, Vice Chairman (A)
Hon'ble Dr.A.Vedavalli, Member (J)

1.Tara Chand
S/O Shri Gurditta
R/O C.G.W.B.CAMP,
Near Ravi Das Mandir,
Sector-3, R.K.Puram,
New Delhi.

2.Makan Singh
S/O Shyam Singh
R/O C.G.W.B.CAMP
Near Ravi Das Mandir
Sector-3, R.K.Puram,
New Delhi

..Applicants

(None for the applicants)

VERSUS

1. Ministry of Water Resources,
Govt.of India, through
Secretary, New Delhi.

2. Chairman
Central Ground Water Board,
Ministry of Water Resources,
Govt.of India, New Delhi.

3. Chief Engineer,
Central Ground Water Board,
Ministry of Water Resources
Govt.of India, Faridabad.

4. Ex.Engineer,
Central Ground Water Board
Ministry of Water Resources
Govt.of India, Ambala.

..Respondents

(By Advocate Sh.Rajinder Nischal
learned counsel through proxy
counsel Shri Inderjit Singh)

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Vice Chairman (A)

Applicants impugns the respondents office order
No.454/2001 dated 30.5.2001 (Annexure R-9) whereby

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financial upgradation under the Assured Career Progression Scheme (ACP) granted to them have been withdrawn with immediate effect, on the alleged ground that they do not fulfil the minimum qualifications required for promotion to the post of D.I.C. in the scale of Rs.6500-10500.

2. None appeared for the applicant when the case was called out second call. Shri Inderjit Singh proxy counsel for the respondents appears and has been heard.

3. Shri Inderjit Singh has very fairly admitted that no show cause notices were issued to the applicants before the impugned order dated 30.5.2001 was issued.

4. The impugned order entails civil consequence and it is well settled that before such orders entailing civil consequences are issued, the concerned employee should be put to notice and be given reasonable opportunity of hearing heard.

5. Under the circumstances, without ~~going into~~ going into the merits of the case, OA succeeds and is allowed to the extent that the impugned order dated 30.5.2001 is quashed and set aside in so far as the present applicants are concerned. If for any reason, respondents seek to withdraw the benefit of financial

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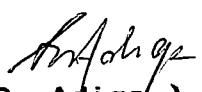
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upgradation granted to the applicants under the ACP Scheme, they may do so only after giving notices to the applicants and giving them reasonable opportunity of hearing heard.

5. OA is disposed of as above. No costs.


(Dr. A. Vedavalli)

Member (J)


(S.R. Adige)
Vice Chairman (A)

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