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Central Administrative Tribunal, Principal Bench

Original Application No.2272 of 2001

New Delhi, this the 24th day of September, 2002

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. M.P. Singh, Member(A)

Madan Lal Arora
Senior Section Engineer(Drawing)
under Dy. Chief Engineer (Const.)
Northern Railway,
Patel Nagar,
New Delhi
R/o F-307, Karampura, New Delhi

.... Applicant

(By Advocate: Shri M.L. Sharma)

Versus

1. Union of India, through
The General Manager,
Northern Railway
Headquarters Office,
Baroda House,
New Delhi.

2. Chief Personnel Officer,
Northern Railway
Headquarters Office,
Baroda House,
New Delhi.

3. Chief Administrative Officer (Const.)
Northern Railway
Kashmere Gate,
Delhi

.... Respondents

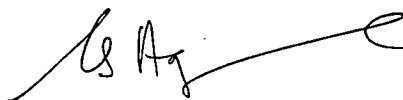
(By Advocate: Shri R.L. Dhawan)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

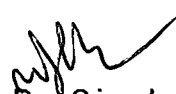
The applicant has been receiving basic salary in the sum of Rs.8300/- in the pay scale of Rs.6500-10500 from 1.7.99. His grievance is that it has unilaterally been reduced to Rs.7900/- by the impugned order of 25.5.2001. While doing so, no show cause notice had been issued to him.

2. The reply filed by the respondents does not indicate that any show cause notice had been issued to the




applicant while reducing his pay.

3. The law is well settled that when an order is passed the impact of which has civil consequences and adversely affects the salary of the applicant, a show cause notice must be given before doing so. In the present case when such a show cause notice has not been issued, on this short ground, the present application is allowed. The impugned order is set aside. It is, however, made clear that in terms of what has been stated, if the department so feels, they may take necessary steps in that direction.


(M.P. Singh)
Member(A)

/dkm/


(V.S. Aggarwal)
Chairman