

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.2426/2001

New Delhi: this the 20th day of January, 2003

HON'BLE MR. JUSTICE V.S.AGGARWAL, CHAIRMAN
HON'BLE SHRI SHANKAR PRASAD, MEMBER (A)

Parshotam Chand,
S/o Late Shri Naratu Ram,
R/o 1512, Sector-3,
M.B.Road, Pushp Vihar,
New Delhi-17. Applicant.
(By Advocate: Shri S.K.Gupta)

Versus

1. Union of India,
through Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan, New Delhi.

2. Director General,
All India Radio,
Akashwani Bhawan,
Parliament Street,
New Delhi.

3. Director,
External Service Division,
All India Radio,
New Delhi. ...Respondents.
(By Advocate: Shri Rajeev Bansal)

By virtue of the present application, the applicant Parshotam Chand assails the order dated 10.9.2001 by virtue of which, his pay has been modified, in other words has been reduced. We are not dwelling into any other controversy because it was urged that the said order reducing the pay of the applicant has been passed without following the principles of natural justice. No show cause notice is alleged to have been given before passing the impugned order. This fact has not been disputed.

2. The settled principle of law is that any order

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having civil consequences, shall be passed only after affording an opportunity ~~of hearing~~ to the applicant to show cause as to why such an order should not be passed. The said opportunity has been denied to the applicant and consequently the impugned order cannot be sustained.

3. Accordingly we quash the impugned order. However, the respondents, if so advised, may issue a show cause notice to the applicant and after considering the representation which he may file, may pass appropriate orders on the same. OA is disposed of with these directions.

Shankar Prasad
(Shankar Prasad)
Member (A)

V.S. Aggarwal
(V.S. Aggarwal)
Chairman

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