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Central Administrative Tribunal
Principal Bench: New Delhi

OA No. 3152/2001

New Delhi this the 22nd day of November, 2001

Hon'ble Shri V.K. Majotra, Member (A)
Hon'ble Shri Kuldip Singh, Member (J)

1. Shri D.K. Sabharwal
S/o Shri K.L. Sabharwal
Chief Booking Supervisor
Railway Station, New Delhi
2. Shri Shiv Datt Sharma
S/o late Shri K.L. Sharma
Booking Supervisor
Railway Station, New Delhi
3. Shri S.C. Jhamb
S/o late Shri Ram Kishan
Booking Supervisor
Tilak Bridge Rly Station
New Delhi
4. Anil Kumar Patari
S/o Shri Rangil Lal
Booking Supervisor
Railway Station
Nizamuddin, New Delhi.
5. Shri Ramesh Chandra
S/o Shri Patti Lal
Booking Supervisor
Railway Station
Nizamuddin, New Delhi.

-Applicants

(By Advocate: Shri B.S. Mainee)

Versus

Union of India: Through

1. The General Manager
Northern Railway, Baroda House
New Delhi
2. The Divisional Railway Manager
Northern Railway, State Entry Road
New Delhi.

-Respondents

ORDER (Oral)

By Shri V.K. Majotra, Member (A)

MA-2575/2001 for joining together in a single
application is allowed.

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2. The learned counsel stated that applicants have challenged Annexure A-1 dated 22.10.2001 whereby allegedly applicants have been imposed upon a penalty of Rs. 54,234.55 on each of them on account of loss of SPTM roll from 71308512 to 71309000. The learned counsel stated that orders have already been given to Bill clerks to recover the amount from the salary of the applicants payable in the month of November, 2001. learned counsel pointed out that responsibility for the aforestated loss has been fixed on the applicants without holding any enquiry and the penalty has also been imposed on them.

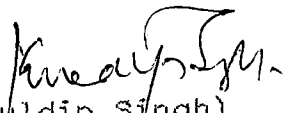
3. From Annexure A-1, we find that although the respondents have stated these orders ~~to be~~ a show cause notice, they have also indicated that the applicants should pay up the aforestated amounts to the respondents within a period of 15 days from the issue of Annexure A-1 failing which recovery shall be made from the salary of the applicants.


4. In our view, ends of justice will be duly met if the respondents are told to treat Annexure A-1 as a show cause notice only giving the applicants a period of one month from today to make a representation there against and pass a reasoned and speaking order as per rules before requiring the applicants to make any payments. We order so accordingly. Present OA also be treated as supplementary to representation of the applicants by respondents.



5. The OA is disposed of accordingly. No costs.

A copy of this order may be given to the learned counsel of the applicants Dasti.


(Kuldip Singh)
Member (J)


(V.K. Majotra)
Member (A)

cc.