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Central Administrative Tribunal
Principal Bench

O.A. No. 1107 of 1999

New Delhi, dated this the 26th August, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mr. Kuldip Singh, Member (J)

1. Mrs. Nalini Jadhav,
W/o late Shri C.K. Jadhav,
R/o Qr. No.893/IV, R.K.Puram,
New Delhi-110022.
2. Shri Shyam Singh,
S/o Shri Ram Prasad,
House No. 213 G, Gali No.12,
Seeta Puri Part II, New Delhi.
3. Shri Claver Toppo,
S/o Shri Nicholaoas Toppo,
120 C Sector IV, Pushp Vihar,
Saket,
New Delhi. Applicants

(By Advocate: Shri Deepak Verma)

Versus

1. The Secretary,
Ministry of Home Affairs,
North Block, New Delhi.
2. The Secretary,
Dept. of Expenditure,
Ministry of Finance,
North Block, New Delhi.
3. The Registrar General of India (RGI),
Ministry of Home Affairs,
2A, Man Singh Road,
New Delhi-110011. Respondents

(By Advocate: Shri A.K. Bhardwaj)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicants impugn respondents' order dated 22.4.99 (Annexure A-1) refixing their pay in the lower pay scale retrospectively and ordering recoveries of pay and allowances from them on the promoted posts.

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2. By the Tribunal's interim order dated 14.5.99 Respondents were directed to file reply to the O.A., and on the prayer for interim relief Respondents were directed to file short reply. Meanwhile respondents were restrained from making recoveries from applicants till further orders.

3. This case came up today and Respondents' counsel Shri Bhardwaj points out that applicants have submitted a representation on 7.5.99 against the impugned order, ^{but} without waiting for the disposal of the same, they rushed to the Tribunal on 12.5.99 to file this O.A.

4. We dispose of this O.A. with a direction to Respondents to dispose of the aforesaid representation dated 7.5.99 by detailed, speaking and reasoned order under intimation to each of the applicants in accordance with rules and instructions after giving them a reasonable opportunity of being heard. These directions should be implemented within four months from the date of receipt of a copy of this order. Meanwhile no recoveries shall be made from the applicants till the respondents pass the aforesaid speaking order.

5. It is made clear that if any grievance thereafter survives it will be open to applicants to

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agitate the same through original proceedings in accordance with law, if so advised.

6. The O.A. stands disposed of accordingly.

No costs.

Kuldeep
(Kuldeep Singh)

Member (J)

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

/GK/