

Central Administrative Tribunal
Principal Bench

O.A. No. 1816_of 1999

New Delhi, dated this the 16th May, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MR. KULDIP SINGH, MEMBER (J)

S/Shri

1. N.C. Rai,
late Shri Amar Singh,
G-2/11, Sector 15, Rohini,
Delhi-110085.
2. L.P. Bhatt,
S/o late Shri M.D. Bhatt,
C-120, Saronjini Nagar,
New Delhi-110023.
3. Anil Verma,
S/o late Shri S.B. Verma,
9-K, Vasant Vihar,
New Delhi-57.
4. M.R. Satyarthi,
S/o Shri Lalita Prasad,
D/84, Sector 12, NOIDA.
5. V.K. Saldhi,
S/o Shri C.D. Saldhi,
E-62, Moti Bagh-I, New Delhi-110021.
6. M.C. Sharma,
S/o Shri K.R. Sharma,
R-8/46, New Raj Nagar,
Ghaziabad, U.P.

... Applicants

(By Advocate: Shri Deepak Verma)

Versus

1. The Secretary,
Ministry of Defence,
South Block, New Delhi.
2. The Secretary,
Dept. of Expenditure,
Ministry of Finance,
North Block,
New Delhi.
3. The Jt. Secretary (Trg) & CAO,
Ministry of Defence,
C-II Hutments,
New Delhi-110011.

... Respondents

(By Departmental Representative
Shri Trilochan Rout, Sr. Administrative
Officer (Legal))

A

2

ORDER (Oral)

MR. S.R. ADIGE, VC (A)

Applicants impugn respondents' order dated 1.6.99 (Annexure A-1) as well as order dated 17.3.99 (Annexure A-2). They seek restoration of their pay scales and repayment of dues on account of such deduction with appropriate interest.

2. The case of the applicant is that consequent upon redesignation/revision of pay in all Departments/Ministries of Union of India pursuant to Finance Ministry's O.M. dated 11.9.89, applicants who are Data Entry Operators-D in the scale of Rs.1600-2660 were redesignated as Data Processing Assistant-B w.e.f. October, 1994 and their pay was fixed in the higher grade of Rs.2000-3200, but Respondents by impugned order dated 1.6.99 reduced their pay scale to Rs.5500-9000 to their disadvantage.

3. We have heard Shri Deepak Verma for applicants. Shri Trilochan Rout, Sr. Administrative Officer (Legal) appeared on behalf of Respondents and has been heard.

4. Shri Rout has stated that the impugned order has been passed pursuant to the Tribunal's order dated 10.12.98 in O.A. No. 2520/97 Jagpal Singh & Others Vs. Union of India & Others in the

A

3

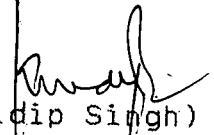
light of the observations contained in the Tribunal's order dated 27.7.98 in O.A. No. 1243/97 Hirmani Semwal & Others Vs. Union of India & Anr.


5. Shri Rout further states that applicants' reversion has been necessitated because of the implementation of the aforesaid order dated 10.12.98.

6. Even if these submissions of Shri Rout are correct, applicants should not have been reverted summarily without giving them reasonable opportunity of being heard.

7. Under the circumstances the impugned orders dated 17.3.99 are quashed and set aside. In the event Respondents intend to revert the applicants pursuant to the aforesaid orders of the Tribunal, they shall do so only after applicants are given a reasonable opportunity of being heard and disposing of the legal notice dated 26.5.99 (Annexure A-4) filed by them by detailed, speaking and reasoned order under intimation to applicants.

8. The O.A. stands disposed of accordingly.
No costs.


(Kuldeep Singh)
Member (J)


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

gk