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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No. 510 of 1999

New Delhi, this the 6th day of April, 1999

Hon'ble Mr. T.N.Bhat, Member (J)
Hon'ble Mr. S.P.Biswas, Member (A)

Sh. A.N.Chhabra, son of late
V.P.Chhabra, working as Assistant
(General), National Institute of
Science Communications, Dr. K.S.
Krishnan Marg (Pusa Gate), New Delhi
110 012.

--APPLICANT.

(By Advocate Sh. K.N. Bahuguna)

Versus

1. Director, National Institute of
Science Communications,
(C.S.I.R.), Dr. K.S.Krishnan
Marg, Pusa Gate, New Delhi - 110
012.

2. Joint Secretary (Admn.) Council
of Scientific & Industrial
Research Anusandhan Bhawan,
Rafi Marg, New Delhi - 110 001.

3. Sh. S.K.Khullar, Assistant
(General), National Institute of
Science Communications, Dr.
K.S.Krishnan Marg, Pusa Gate,
New Delhi - 110 012.

4. Mrs. Puspa Gulati, Assistant
(General), National Institute of
Science Communications, Dr.
K.S.Krishnan Marg, Pusa Gate,
New Delhi - 110 012.

--RESPONDENTS.

(By Sh. Dharam Raj, Section Officer,
Deptt. Representative)

O R D E R (ORAL)

By Mr. T.N. Bhat, Member (J) -

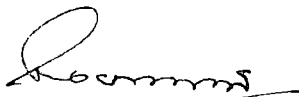
It is admitted on both sides that the impugned
Office Memorandum dated 31.3.1998 (Annexure A-3) has now
been withdrawn by the respondents, by the OM dated
31.3.99, it has been specifically mentioned therein that
such an order revising the pay of the applicant, could
have been made only after giving a reasonable opportunity
to the applicant of being heard. Therefore this OA has
now become infructuous.

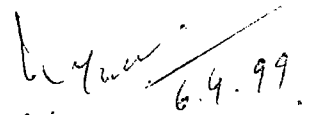
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We notice that the respondents have reserved to themselves the right to take appropriate action under the provisions of FRSR. But till that is done, the applicant has to be brought back to the position that he was holding prior to the issuance of the OM dated 31.3.98 which would mean restoration of the pay in which he was fixed earlier. As a necessary consequence any recovery made in pursuance to the OM dated 31.3.98 will have to be refunded to the applicant.

Respondents are directed to do the needful in this regard within two months from today.

The OA is disposed of as above. No costs.


(S.P. Biswas)
Member (A)


6.4.99
(T.N. Bhat)
Member (J)

Annex 1/