

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1220/98

New Delhi, this 11th day of March, 1999

Hon'ble Shri T.N. Bhat, Member(J)

Hon'ble Shri S.P. Biswas, Member(A)

1. R.K. Sahni
  2. A.M. Chand
  3. Dharinder Kumar
  4. G.D. Bansal
  5. A.K. Puri
  6. Krishan Gopal
  7. N.N. Sharma
  8. Vijay Kumar
  9. D.N. Singh
  10. Nooruddin
  11. K.K. Prashad
  12. A.P. Singh
  13. S.K. Patel
  14. Parmod Bharti
  15. V.K. Chawla
  16. L.R. Saxena
  17. P.K.R. Mali
  18. Madan Pal Singh
- All working as Diary Supervisors in  
Delhi Milk Scheme, West Patel Nagar,  
New Delhi

.. Applicants

(By Shri S.C. Luthra, Advocate)

versus

Union of India, through

1. Secretary  
Deptt. of Animal Husbandry & Diaring  
M/Agriculture, New Delhi

2. General Manager  
Delhi Milk Scheme  
West Patel Nagar, New Delhi

.. Respondents

(By Shri V.S.R. Krishna, Advocate)

ORDER(oral)

Hon'ble Shri T.N. Bhat

We have heard the learned counsel for the parties  
for final disposal of the OA.

2. In this OA, applicants, 18 in number, have assailed  
the order dated 28.5.98 by which the pay of the  
applicants and similarly situated other persons has been  
revised in consequence whereof their pay has got reduced.

*Signature*  
11.3.99.


12

Admittedly, before passing of the impugned order, no show-cause notice was issued to these employees including the applicants herein.

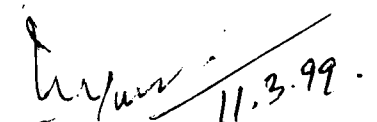
3. Learned counsel for the applicants makes available a copy of the judgement dated 22.1.99 passed in OA 1163/98 by a coordinate Bench of this Tribunal. That OA had been filed by one Shri Gajendra Pal Sharma, who is also one of the persons mentioned in the impugned order dated 28.5.98 and who had assailed the said order in that OA. The aforesaid Bench of the Tribunal, relying on the judgement of the Hon'ble Supreme Court in Bhagwan Shukla Vs. UOI & Ors. 1995(2) SLJ 10, held that the impugned order was not sustainable and allowed the aforesaid OA.

4. We find no grounds to treat the applicants in this OA differently or to take a view contrary to that which was taken in OA 1163/98. For the foregoing reasons and in line with the aforesaid judgement in OA 1163/98, we allow this OA and hereby quash the order dated 28.5.98. However, it will be open to the respondents to proceed in the matter in accordance with law but only after affording a reasonable opportunity to the applicants to be heard in the matter.

5. With the above order, the OA is disposed of alongwith MA 1254/98 wherein applicants have prayed for permission to join in a single original application.

  
(S.P. Biswas)  
Member (A)

/gtv/

  
(T.N. Bhat)  
Member (J)  
11.3.99