

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No.CA 889/89

Date of decision 28-04-1989

Shri A.K. Jain

....Applicant

Vs.

Union of India & Others

....Respondents

For the Applicant

...Shri R. Doraiswamy,
Counsel

For the Respondents

....None

CORAM:

THE HON'BLE MR. P.K. KARTHA, VICE CHAIRMAN(J)

THE HON'BLE MR. M.M. MATHUR, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment?
2. To be referred to the Reporters or not?

JUDGMENT (OPAL)

Heard the learned counsel of the applicant.

The grievance of the applicant is against the impugned order dated 3rd January, 1989 (Annexure A-1, page 62 of the Paper Book) whereby the President has ordered imposition of major penalty of reduction of pay by three stages from Rs.3400/- to Rs.3100/- in the time scale of pay of Rs.3000-4500 for a period of two years upon the applicant with effect from 1st February, 1989. The learned counsel of the applicant states that the applicant has not made any

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representation against the impugned order as the same has been passed by the President. He also states that he has not been given the Enquiry Report. He contends that UPSC was not consulted before imposing the impugned punishment.

2. In the circumstances, we are of the opinion that the respondents should be directed to consider various points raised by the applicant and to pass a speaking order thereon. The present application itself can be treated as representation for the purpose. Let a copy of this applicant also be sent to them. The respondents shall consider the matter and take a decision within 2 months from the date of receipt of a copy of this order.

3. In case the applicant is aggrieved by the order passed by the respondents, he will be at liberty to file a fresh application in accordance with law, if so advised.

4. The application is disposed of on the above lines. There will be no order as to costs.


(M.M. MATHUR)
MEMBER (A)


(P.K. KARTHA)
VICE CHAIRMAN (J)