

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

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OA-1181/92

Wednesday, this the 4th day of December, 1996.

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN

HON'BLE MR. S.P. BISWAS, MEMBER (A)

A.N. Chakravarty,
Son of Sh. Manindranath Chakravarty,
R/o S-IV/290, R.K. Puram,
New Delhi-11002.

...Applicant

(By Advocate Sh. K.L. Bhandula)

Versus

1. Union of India, through
the Secretary, Ministry of
Home Affairs,
New Delhi.

2. Secretary,
Department of Personnel
and Training, Ministry
of Personnel, Public
Grievances & Pensions,
New Delhi.

...Respondents

(By Advocate Sh. B.Lall)

The application having been heard on 4.12.1996 the
Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), CHAIRMAN —

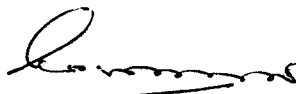
Applicant submits that one K.C. Ghosh junior to him as an Assistant, as a Section Officer and as an Under Secretary is drawing higher pay than him and that the provisions of FR 22-C have been grossly violated. A seniority list produced along with the application without an Annexure number shows that applicant who is at serial No.1969 is senior to K.C. Ghosh who is at serial No.1993. Notwithstanding that, his request has been rejected by Annexure II order which is as cryptic - as cryptic could be. It merely states:

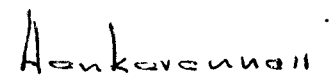
"..his case has been considered in consultation with the Department of Personnel and Training, but his request has not been acceded to."

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We would like to point out that representations in matters affecting rights will have to be disposed of by passing a speaking order. Reason is an attribute of every adjudicatory process. An affected person is entitled to know the reasons upon which an adverse order is based and a body exercising judicial review is at least as much entitled to know, the reasons for the order. What are required are reasoned orders and not cryptic verdicts. We quash Annexure-II and direct respondents to pass a speaking order and communicate the same to applicant within three months from today. Application is allowed with cost which we fix at Rs.500 (Rupees five hundred only).

Dated, this the 4th day of December, 1996.


(S. P. BISWAS)
Member(A)


(CHETTUR SANKARAN NAIR, J.)
Chairman

'Sanju'