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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.1151/93

New Delhi: this the 13<sup>th</sup> day of September, 1999.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MR. P. C. KANNAN, MEMBER (J)

Brihm Jeet Singh Tyagi,  
S/o Shri Mansha Ram Tyagi,

R/o Mill. & P.O. Khimaoti,  
Distt. Ghaziabad (UP)

Employed as LDC  
in ORDNANCE FACTORY,  
Muradnagar,  
Distt. Ghaziabad (UP)

..... applicant.

(By Advocate: Shri N. S. Verma)

Versus

1. Union of India  
through  
Secretary,  
Govt. of India,  
Ministry of Defence,  
New Delhi.

2. The Chairman,  
Ordnance Factory Board,  
10A, Auckland Board,  
Calcutta.

3. The General Manager,  
Ordnance Factory,  
Muradnagar,  
Distt. Ghaziabad (UP)

..... Respondents.

(By Advocate: Shri K. R. Sachdeva)

ORDER

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Applicant impugns respondents' order dated 24.1.93 (Annexure-A6) reducing his pay.

2. Heard both sides.

3. Respondents' letter dated 6.12.91 (Annexure-R1 to respondents' reply) is a detailed and reasoned letter which explains the reasons why applicant's salary

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had to be refixed. For the reasons explained in that letter we are satisfied that respondents' decision to refix applicant's salary in terms of that letter is neither illegal nor arbitrary, and manifestly applicant cannot be allowed to draw salary on a scale at which he is not entitled.

4. However as applicant did not draw the higher salary on account of any fault on his part, we direct that there shall be no recovery of arrears and to that extent the interim order dated 28.10.93 staying recoveries on account of refixation of salary are made absolute.

5. The OA is disposed of in terms of paras 3 and 4 above. No costs.

Dhanraj

( P.C.KANNAN )  
MEMBER(J).

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( S.R.ADIGE )  
VICE CHAIRMAN(A).

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