



**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No. 1135/2021

This the 25th day of June, 2021

(Through Video Conferencing)

Hon'ble Ms. Aradhana Johri, Member (A)

Kuldeep Singh Dabas
Pharmacist
S/o Sh Risal Singh Dabas
R/o V&PO: Majra Dabas, Delhi-85
Age around 58 years
Group (C)
Presently posted at:-
DGD Jaunti, North-West District, GNCT of Delhi

... Applicant

(through , Advocate: Shri Saurabh Ahuja)

Versus

1. Govt. of N.C.T. of Delhi
Through its Chief Secretary,
Delhi Sachivalaya,
Players Building, New Delhi
2. Secretary/Principal Secretary
Health & Family Welfare
Department of Health & Family Welfare
GNCT of Delhi
9th Level, A-Wing, IP Extension
Delhi Secretariat, Delhi-110002
3. Chief District medical Officer (North West)
Directorate of Health Service,
GNCT of Delhi,
Sector-13, Rohini, Delhi-85
4. Director
Department of Health Service
GNCT of Delhi
F-17, Karkardooma, Delhi

5. Finance Secretary
GNCT of Delhi
4th Level, A-Wing
IP Estate, New Delhi

... Respondents

(through , Advocate: Ms. Esha Mazumdar)



ORDER (Oral)

The applicant is a Group-C employee with the Respondent organization. On 21.05.2021 his emoluments were re-fixed downwards on account of certain revised pay fixation. Subsequently on 24.05.2021 the applicant was asked to deposit Rs.1,74,000/- into the government account. The applicant has taken several grounds in this OA, one of which is that no Show Cause Notice was given to him and proceedings have been initiated against the principles of natural justice.

2. Ms. Esha Mazumdar, learned counsel, who appeared on instructions from the respondents, states that the recovery was made on account of wrong fixation of 3rd MACP. This wrong fixation was done not only for the applicant but a large number of employees and recoveries have been issued for all of them. She also stated that recovery has been made much prior to the retirement of the applicant.

3. At this stage, without entering into the merits of the case, it is observed that no show cause notice has been given to the employee, therefore, the said impugned recovery order dated 24.05.2021 is set aside. It is clarified that no comments have been made on the merit of the matter. The respondents are free to proceed after giving due notice and opportunity to the applicant.



4. The OA is disposed of in view of the aforesaid para 3. No order as to costs.

(Aradhana Johri)
Member (A)

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