

THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH, ALLAHABAD

D.A. No. 82/92

Than Singh Vs. Union of India

Hon. Mr. Justice S.K. Dhaon, V.C.

Hon. Mr. K. Obayya, A.M.

U.C.A. (By Hon. Mr. S.K. Dhaon, V.C.)

The Learned Counsel for both the parties are present. A C.A. has been filed. A rejoinder has also been filed. This application, therefore is ripe for hearing. Accordingly, we are disposing it off after hearing Learned Counsel for the respondents.

The admitted facts are these:-

Some time in the year 1987 the post of gang Boot Maker was upgraded from 950-1500 to 1200-1800. The applicant was working as gang Boot Maker on the relevant date. The grade applicable to him was reduced to 950-1500. This was done without affording any opportunity of a hearing to the applicant.

The impugned order of reduction of the grade of the applicant has certainly visited him with civil consequences as there is a demotion of his emoluments. He was, therefore, entitled to atleast an opportunity of a hearing before reducing his grade.

In the Counter Affidavit, it has been asserted that the applicant had been given the grade of Rs. 1200-1800 due to an inadvertance. The applicant was still entitled to a hearing to demonstrate that there was no mistake. The impugned order is, therefore, quashed. However, it is made clear that it will be open to the respondents to pass a fresh order in accordance with law. No order as to costs.

smc

A.M.

(S.K.D)
V.C.

Allahabad
Dt. 30.6.92