

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No. 506 of 1995

Wednesday this the 19th day of April, 1995.

CORAM

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR. P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

V.Vijayan, Clerk Grade II,
Commercial Broadcasting Centre,
All India Radio,
Thiruvananthapuram.

... Applicant

(By Advocate Mr. Asok M Cherian)

Vs.

1. Union of India represented by the Secretary to Government, Ministry of Information & Broadcasting, Shastri Bhavan, New Delhi-110 001.
2. The Director General, All India Radio, Akashvani Bhavan, Parliament Street, New Delhi-110 001.
3. The Station Director, All India Radio, Vazhuthacaud, Thiruvananthapuram.14.
4. The Assistant Station Director, Commercial Broadcasting Service, All India Radio, Thiruvananthapuram.
5. V.Sathyabhama, Clerk Grade II, Doordarshan Kendra, Thiruvananthapuram.
6. Alice Paul, Clerk Grade I, All India Radio, Kochi.
7. Smt.Vasanthakumari, Clerk Gr.I, All India Radio, Thiruvananthapuram.
8. Smt.C.D.Valsakumari, Clerk gr.II, Commercial Broadcasting Service, All India Radio, Thiruvananthapuram.
9. Sri G.Sreekumar, Clerk Grade I, All India Radio, Kannur.
10. Sri T.Vijayan, Clerk Grade I, All India Radio, Kannur.

contd....2

11. Sri P.D.Saju, Clerk Grade I,
All India Radio, Devikulam, Idukki.
12. Sri G.Haridas Nair, Clerk Gr.I
Civil Construction Wing,
All India Radio, Thycaud,
Thiruvananthapuram.
13. Sri S.Ganesh, Clerk gr.I,
Doordarshan Kendra, Thiruvananthapuram.
14. Sri K.Balachandran, Clerk Gr.I,
All India Radio, Kannur.
15. Sri P.A.Sivadasan, Clerk Gr.I,
F.M.Station, All India Radio, Kannur.
16. Sri P.K.Mohan Pillai, Clerk Grade I,
Commercial Broadcasting Service,
All India Radio, Thiruvananthapuram.
17. Sri Sabu Pappachan, Store Keeper,
All India Radion, Thiruvananthapuram.
18. Sri K.V.Sreekumar, Clerk Grade I,
High Power Transmitter,
All India Radio, Alapuzha.
19. Sri T.V.Rajan, Clerk Gr.I,
All India Radio, Thrissur.
20. Smt.Ester Joselet, Clerk Grade I,
Doordarshan Kendra, Thiruvananthapuram.5.
21. Sri K.Madhukumar, Clerk Gr.I,
Doordarshan Maintenance Centre,
Kannur. Respondents

(By Advocate Mr.TPM Ibrahim Khan for R 1to4)

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant challenges A16 order, by which his request for refixation of seniority was rejected. Challenging the seniority list of 1988, applicant came to this Tribunal four years later in 1992 with O.A. 1846/92. The four years delay was not noticed by anyone and the Tribunal directed applicant to make a representation and further directed respondents to consider it. After such consideration, the impugned

order was passed, It only states:

"...it was not found possible to accede to his request for revising his seniority."

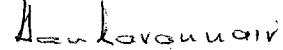
2. Every authority involved in a process of adjudication, is required to state the reasons for his conclusion. In this case, as in many other cases of the Government of India, the orders contain the conclusions and not reasons. Some reason should have induced the decision and that could have been stated. Such non-speaking, if not dumb, orders cannot do service for the requirements of law. It must also be realised that passing such cursory orders without application of mind gives rise to unnecessary litigation and delay in adjudication.

3. We quash A16 and direct third respondent to pass a speaking order within three weeks from today. We make it clear that we have not expressed any opinion on the merits, or on the question of delay or on any other issue. Respondent-3 will do well to adhere to the time limit and avoid disobedience of the orders of this Tribunal.

4. Application is allowed as aforesaid. No costs.

Dated the 19th day of April, 1995.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN