

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No. 578 of 1994

Thursday this the 21st day of April, 1994

CORAM

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN
HON'BLE MR.S.KASIPANDIAN, ADMINISTRATIVE MEMBER

K.John,
Assistant Director,
Enforcement Directorate
Govt. of India, Trivandrum.Applicant

(By Advocate Mr.K. Prabhakaran)

Vs.

1. Union of India, represented by Secretary to the Govt. of India, Ministry of Finance, Deptt. of Revenue, New Delhi.
2. Director, Enforcement Directorate (Foreign Exchange Regulation Act) Govt. of India, New Delhi-3.
3. Deputy Director (Admn) Enforcement Directorate Foreign Exchange Regulation Act, New Delhi-3.
4. Deputy Director, Enforcement Directorate, Madras.Respondents

(By Advocate Mr.V.Ajith Narayanan rep.VB Unniraj)

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant challenges Annexure.A9 by which the second respondent rejected his request for correcting his date of birth. The order merely states:

"the request of Shri K.John....has been considered by the competent authority but it has not been found possible to agree to the same."

Learned counsel for applicant submitted that orders like this, unsupported by reasons cannot be supported or sustained.

2. In answer learned Standing Counsel for respondents would submit that if the files are examined, reasons may be available. An order has to be tested by the reasons evident from it and it cannot be supported by reasons that may be discovered by an ingenious mind. It is settled law that every order causing adverse civil consequences on a citizen must be supported by reason. A speaking order is necessary in such cases. In Dr. (Miss) Beenapani Dei, (AIR 1967 SC 1269) the Apex Court pointed out the imperative necessity to state reasons for conclusions. The impugned order bears the inscrutable face of a sphinx. We quash the same and direct the competent authority to consider the matter afresh and pass a reasoned order supporting its conclusions with reasons.

3. Original Application is allowed. No costs.

Dated 21st April, 1994.


S. KASI PANDIAN

ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

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