

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. No.104/1994

Tuesday this the 18th day of January, 1994.

CORAM:

THE HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

THE HON'BLE MR.P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

K.O.Abraham,
S/o Chacko Ulahannan,
Aged 49 years,
Kunnel House,
Kothala P.O.

.. Applicant

By Advocate Mr.M.R.Rajendran Nair

vs.

1. The Sub Divisional Officer(Telegraphs),
Kanjirappilly.
2. The General Manager, Telecom,
Kottayam.
3. Union of India represented by Secretary to Government,
Ministry of Communication,
New Delhi.

.. Respondents

By Advocate Mr.Mathew G.Vadakkal

ORDER

CHETTUR SANKARAN NAIR(J),VICE CHAIRMAN:

Applicant challenges Annexure.I order by which his request for regularisation was rejected stating:

".... carefully examined and it is found that you are not eligible for regularisation at present as per eligibility conditions prescribed."

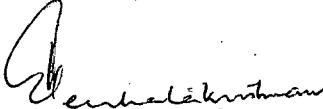
2. There is not a single reason, in the impugned order. There is not the slightest indication that the authority who passed the order, applied his mind to the facts of the case. No authority however high he be, is free to act on whims. Every order affecting the rights of a citizen must be supported by reasons. Learned Additional Standing Counsel who was at pains to uphold the order with reference to the existing rules, was not able to justify the order. An order will be judged by the reasons disclosed therein and not by reasons that can be attributed on better reflection. We are unhappy that a public authority has chosen to act like an oracle running his ordinances.

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3. We quash Annexure.I and direct second respondent to pass a reasoned order referring to the facts of the applicant's case, the prescriptions in the Rules and stating his conclusion regarding the tenability or otherwise of applicant's claim. This will be done within two months from today.

4. Application is allowed. No costs.

Dated the 18th January, 1994.


P.V.VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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