

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 305 of 1996

Thursday, this the 14th day of March, 1996

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR S P BISWAS, ADMINISTRATIVE MEMBER

S. Srirangan, Office Supervisor,
(Inspector of Railway Mail Service),
Office of the Superintendent, Railway
Mail Service, Calicut Division,
Calicut. .. Applicant

By Advocate Mr K R B Kaimal.

Vs

- 1 Union of India, represented by Secretary,
Ministry of Communications,
New Delhi.
- 2 The Director General, Posts,
Dak Bhavan, New Delhi.
- 3 The Chief Postmaster General,
Kerala Circle, Trivandrum.
- 4 The Postmaster General,
Northern Region, Calicut.
- 5 The Superintendent, Railway Mail Service,
Calicut Division, Calicut.

.. Respondents

By Advocate Mr James Kurian, Addl.CGSC.

The application having been heard on 14th March 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

Applicant challenges an order by which his
request for stepping up of pay has been rejected.

The order only says:

"... representation has been examined
at the Directorate and rejected by
appropriate authority..."

We cannot think of a more laconic order than this. When a grievance is taken before an authority for adjudication, that authority has to apply its mind to the issue and pass a speaking order thereon. This position has been long settled in this country. Such orders as in this case, are liable to be reviewed by a Tribunal or a Court or by a higher departmental forum. The reasons upon which the order is founded must be available on the face of it. These safeguards are meant to eschew arbitrariness.

2 Learned standing counsel whom we heard on notice could not support the order in spite of his best efforts, and he submitted that the order is indefensible.

3 We quash A-8 and direct the competent authority to pass a speaking order within two months from today. Respondents will pay Rs 500/- (Rupees five hundred) as costs to applicant.

4 Original application is allowed as aforesaid.

Dated the 14th March, 1996.


S P BISWAS
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

LIST OF ANNEXURE

1. Annexure A8: True copy of order No. Staff/101-1635/94 dated 29.11.1995 issued by 4th Respondent.