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CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH, LUCKNOW.

....

T.A. No.1167 of 1987  
( W.P. No. 3536 of 1983)

K.K. Srivastava ... .. Petitioner/  
Applicant.

Versus

Union of India and others . . . . . Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon'ble Mr. A.B. Gorthi, Member (A)

( By Hon. Mr. Justice U.C. Srivastava, V.C.)

None for the applicant. Counter affidavit has been filed today. That one of the grounds which has been taken by the applicant is that the appellate order is a non-speaking order. It has also been contended before us that the appellate authority has not given any personal hearing to the applicant. It was obligatory on the appellate authority to give personal hearing to the applicant and to pass some such order from which the mind of the appellate authority ~~was~~ could have known. The appellate order suffers from this lacuna and the appellate order can-not be allowed to stand.

2. Accordingly, the appellate order dated 26.2.1983 is quashed. The appellate authority is directed to dispose of the appeal filed by the applicant and pass a speaking order taking into consideration all the pleas taken by the applicant after giving him personal hearing. Let it be done within <sup>or</sup> the period of 2 months, from the <sup>2</sup> date of the communication of this order. Copy of the order may be issued within 2 weeks. The application is disposed of with the above directions. Parties to bear their own costs.

  
Member (A)

  
Vice-Chairman.

(n.u.)Dt: 10.12.1991