

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560 038.

Dated:- 6 APR 1994

APPLICATION NUMBER: 180 of 1994

APPLICANTS:

Sri.Naganna Gowda v/s. The Postmaster General, Bangalore  
To. and three Others.

1. Sri.Naganna Gowda,  
S/o.Bistana Gowda,  
Retired D. P.M., Koppal,  
Post Yelaburga,  
HPO:Koppal,Dist:Raichur.
2. Sri.M.Vasudeva Rao,  
Addl.Central Govt.Stng.Counsel,  
High Court Bldg, Bangalore-1

Subject:- Forwarding of copies of the Orders passed by the  
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above  
mentioned application(s) on 21st March, 1994.

Issued on  
6/4/94  
P.

of

*S. Shankar*  
for DEPUTY REGISTRAR 6/4  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION No.180/94

MONDAY, THIS THE 21ST DAY OF MARCH, 1994

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

SHRI T.V. RAMANAN ... MEMBER (A)

Sri Naganna Gowda,  
S/o Bistana Gowda,  
Aged about 60 years,  
Retired D.P.M., Koppal and  
residing at Yelburga,  
Raichur District. ... Applicant

(In person)

Via.

1. The Postmaster General,  
Bangalore.
2. The Postmaster General,  
N.K. Region, Dharwad.
3. The Postmaster, Raichur.
4. The Accounts Officer (Pension),  
Office of the Dy. Director of  
Accounts (Post), Karnataka  
Circle, Bangalore-1. ... Respondents

(By Advocate Shri M. Vasudeva Rao)  
Central Govt. Standing Counsel.

O R D E R

Shri Justice P.K. Shyamsundar, Vice Chairman:

We admit this application. After having heard both sides, we find the impugned order suffers from transgression of principles of natural justice in that the applicant's pension stands reduced by a sum of Rs.20/- with effect from 31.03.1990, further it appears that the D.C.R.G. due to him has been totally withheld on the ground that there was some mis-calculation regarding allowing Efficiency Bar from an earlier date. Well, there may be substance in that contention of the respondents, but the applicant

should have been put on a notice and action only thereafter. Consequently, we quash the impugned order at Annexure-A4 and the correction made in the Pension Payment Order at Annexure-A1 by substituting Rs.846/- to Rs.866/- as also the amount Rs.332/- corrected from Rs.330/- at Annexure-A1. This does not hold that Government cannot effect those changes in the Pension Payment Order but will be entitled to and can do so, only after issue of a show cause notice giving applicant a reasonable opportunity to explain his stand.

2. In the result, for the reasons mentioned, the impugned order at Annexure-A4 and the corrections made to the Pension Payment Order at Annexure-A1 stand quashed. No costs. Government can pass fresh orders on both counts after considering any representation made against the show cause notice issued to the applicant.

Sd/-

( T.V. RAMANAN )  
MEMBER (A)

Sd/-  
( P.K. SHYAMSUNDAR )  
VICE CHAIRMAN

psp

R. Shankar  
6/4