

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Dated: 22 MAR 1995

APPLICATION NO. 1231 of 1994.

APPLICANTS: Sri.Kaniga, Bangalore

V/s.

RESPONDENTS: The Director, Central Cattle Breeding Farm,
Hessaraghatta, and another.

To

1.

Sri.A.R.Hobla, Advocate,
No.3, Second Floor, I-Cross,
Sujatha Complex,
Gandhinagar, Bangalore-9.

2.

Sri.M.S.Padmarajaiah, Senior
Central Govt.Stng.Counsel,
High Court Bldg, Bangalore-1.

Subject:- Forwarding copies of the Orders passed by the
Central Administrative Tribunal, Bangalore-38.

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Please find enclosed herewith a copy of the Order/
Stay Order/Interim Order, passed by this Tribunal in the above
mentioned application(s) on 09-03-1995.

Issued on
22/03/95

DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: :BANGALORE

ORIGINAL APPLICATION NO.1231/1994

THURSDAY, THE NINTH DAY OF MARCH, 1995

SHRI V.RAMAKRISHNAN. ...MEMBER (A)
SHRI A.N.VUJJANARADHYA ...MEMBER (J)

Kaniga, S/o Narasimhaiah,
aged 49 years, Working as
Sweeper in Central Cattle
Breeding Farm,
Hessarghatta,
Bangalore-560 088.

...Applicant

By Advocate Shri A.R.Holla

Versus

1. Director, Central Cattle
Breeding Farm,
Hessarghatta,
Bangalore-560 088.
2. Union of India
by its Secretary,
Department of Animal Husbandry
and Dairying, Ministry of Agriculture,
Krishi Bhavan,
New Delhi-110 001.

...Respondents

By S.C.G.S.C. Shri M.S.Padmarajaiah.

O R D E R	
Shri V.Ramakrishnan.	Member (A)

We have heard Shri Holla for the applicant and Shri M.S.Padmarajaiah for the respondents. The applicant is aggrieved by the order of the department dated 5.3.94 as at Annexure A4, which seeks to reduce the pay drawn by the applicant earlier by virtue of the promotion accorded to him by the department by order dated 21.5.93 as at Annexure A1. The applicant was promoted by the said

Contd...2.



order in situ promotion to the next higher grade and his pay was fixed at Rs.970/- with effect from 01.4.91. While drawing the increments, he reached the level of Rs. 990/- as on 1.4.91 and his pay was fixed accordingly. Subsequently by order dated 5.3.94, as at Annexure A4 his pay has been brought down to Rs.954/- by bringing ^{him} down to the lower scale of Rs.775 - 1025 stating that the department having reconsidered the matter had proposed to bring him down to a lower scale and to reduce his pay. We notice that while issuing the order as at Annexure A4, the department did not serve any show cause notice and as such any opportunity was denied to the applicant to putforth his case.

2. In view of this, we quash the order dated 5.3.94 as at Annexure A4. If the department wants to bring down the pay of the applicant, they should take appropriate steps in accordance with law giving the applicant an opportunity to ^{State} defend his case. All the contentions raised herein are left open.

With the above observation, the case is finally disposed of. No cost.

9/3/95
(A.N.VUJJANARADHYA)
MEMBER (J)

Sd/-
TRUE COPY
9/3/95
Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore

Sd/-
9/3/95
(V.RAMAKRISHNAN)
MEMBER (A)

