

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 30.4.2001

OA 386/99

Laxmi Narain Verma, Chief Telephone Supervisor O/o PGMTD,
Jaipur.

... Applicant

Versus

1. Union of India through Secretary, Ministry of Communication, Deptt. of Telecommunication, Sanchar Bhawan, New Delhi.
2. The Principal General Manager Telecom District, Opp. GPO, M.I. Road, Jaipur.

... Respondents

CORAM:

HON'BLE MR. S.K. AGARWAL, JUDICIAL MEMBER

HON'BLE MR. A.P. NAGPATH, ADMINISTRATIVE MEMBER

For the Applicant ... Mr. P.V. Calla

For the Respondents ... Mr. V.S. Gurjar

O R D E R

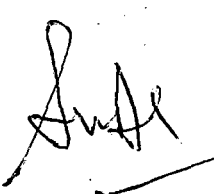
PEP HON'BLE MR. S.K. AGARWAL, JUDICIAL MEMBER

In this OA filed u/s 19 of the Administrative Tribunals Act, 1985, applicant makes a prayer to restrain the respondents from cancelling the promotion order in respect of the applicant, by which the applicant was promoted on the post of Chief Telephone Supervisor in the pay scale of Rs. 2000-3200 (Revised Rs. 6500-10500).

2. Reply was filed. In the reply it is stated that applicant has come on the basis of apprehension of reversion. Therefore, this OA be dismissed at this stage.

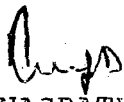
3. Learned counsel for the applicant has argued that in other cases of similar nature, applicants have been reversed by the department. Therefore, his apprehension is not baseless.

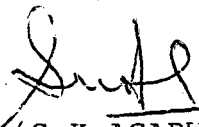
4. It is settled law that any adverse order, if it entails civil consequences, should have been issued only after following the principle of audi alteram partem i.e. after giving an opportunity of hearing/show-cause to the affected person. Therefore, in view of settled legal position, at this stage we can only say that in case any



adverse order is passed by the department, principle of natural justice must have been followed.

5. We, therefore, dispose of this OA with the direction to the respondents that in case any adverse order regarding reversion of the applicant is issued, the same shall be issued only after following the principle of audi alteram partem and due process of law. No order as to costs.


(A.P.NAGRATH)
MEMBER (A)


(S.K.AGARWAL)
MEMBER (J)