

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 20.11.2000

OA No.133/2000 with MA No.395/2000

1. B.L.Swarnkar s/o Shri Kanhaiya Lal Swarnkar, presently working as Chief Telephone Supervisor, SDOT Office, Chomu
2. Manohar Singh s/o Shri Ram Chandra, presently working as Chief Telephone Supervisor, SDOT Office, Chomu

.. Applicants

Versus

1. Union of India through the Secretary to the Government of India, Department of Telecom, Sanchar Bhawan, New Delhi.
2. The Chief General Manager, Telecom, Rajasthan Circle, Jaipur
3. The Principal General Manager, Telecom District, Jaipur.
4. Sub Divisional Officer, Phones, Chomu.

.. Respondents

Mr.P.N.Jati, counsel for the applicants

Mr. N.C.Goyal, counsel for the respondents

CORAM:

Hon'ble Mr. Justice B.S.Raikote, Vice Chairman

Hon'ble Mr. N.P.Nawani, Administrative Member

Order

Per Hon'ble Mr. Justice B.S.Raikote, Vice Chairman


This application is filed challenging the order of reversion passed against the applicants vide Ann.A1. The main ground is that the impugned order is contrary to the principles of natural justice. The main contention of the learned counsel for the applicants is that before issuing the impugned order, no show-cause notice was given to them. This contention of the learned counsel for the applicants is not disputed. Having regard to this fact, it is clear that the impugned order is contrary to the accepted canons of law and the principles of natural justice hence it is liable to be set-aside. In fact, in similar circumstance in OA No. 131/2000 a similar order was also quashed by this Bench on this very ground.

RAJ

The similar orders are also passed by the Principal Bench of this Tribunal in a batch of cases, involving similar question that has been brought to our notice. The said order is in OA No. 425/2000 dated 2nd June, 2000. For the above reasons, we pass the order as under:-

"Application is allowed and the impugned order vide Ann.A1 is hereby set-aside. It is made clear that it is open to the respondents to pass fresh orders after following the due process of law and the principles of natural justice. No costs.

In view of the final order passed in the OA, the MA, No.395/2000, does not survive and accordingly it is also dismissed."


(N.P.NAWANI)

Adm. Member


(B.S.RAIKOTE)

Vice Chairman