

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No.1390/2016

New Delhi, this the 21st day of April, 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. P. K. Basu, Member (A)**

1. Dr. L. R. Singh
Aged 53 years approx.,
S/o Late Laish Ram Mangi Singh,
Presently posted as:
Senior Medical Officer (Homeo),
Sashastra Seema Bal (SSB)
Force Head Quarters,
East Block-V, R. K. Puram,
New Delhi.
2. Dr. Mrs. Krishna Sarkar Biswas
Aged 58 years approx.
D/o Sh. Amulya Ratan Sarkar,
Presently posted as:
Senior Medical Officer (Homeo),
Sashastra Seema Bal (SSB)
Sector Head Quarters,
P. O. Panga Sahebbari, Distt. Jalpaiguri,
West Bengal 735121.
3. Dr. M. K. Singh
Aged 55 years approx.
S/o Sh. Mayanglambam Rajmani Singh,
Presently posted as:
Senior Medical Officer (Homeo),
Sashastra Seema Bal (SSB)
Office of Inspector General
SSB Frontier Guwahati,
345, G. S. Road,
Khanapara, Assam 781022.
4. Dr. D. K. Das
Aged 52 years approx.
S/o Late Sambhu Narayan Das,
Presently posted as:
Senior Medical Officer (Homeo),
Sashastra Seema Bal (SSB)
Office of the DIG, Sector Head Quarters,
Ranidanga, P.O. Sushustranagar,
Distt. Darjeeling,
West Bengal 734012.

-Applicants

(By Advocate: Shri Rajesh Katyal)

-V E R S U S-

1. Union of India
Through Secretary

Ministry of Home Affairs,
North Block,
New Delhi 110 001.

2. The Director General
Sashastra Seema Bal (SSB)
Force Head Quarters,
East Block-V, R. K. Puram,
New Delhi 110 066.
 3. Union of India
Through Secretary
Ministry of Personnel, Public Grievances & Pensions,
Department of Personnel & Training,
Division of Re-training and Re-deployment,
Third Floor, Lok Nayak Bhawan,
Khan Market, New Delhi.
- Respondents.

(By Advocate : Shri Gyanendra Singh)

O R D E R (Oral)

Justice Permod Kohli, Chairman:

The applicants are aggrieved by order dated 13.10.2015 whereby their status and pay scale are reduced.

2. The applicants joined as Homeopathic Doctors in Special Service Bureau (for short, SSB) in the year 1997. Vide order dated 20.05.1999, the sanctioned strength of SSB was cut by 10% resulting in abolition of 590 posts in the Organisation. It is admitted case of the applicants that they were also declared surplus vide order dated 16.03.2006. Some of the Doctors who were also affected by reduction in the sanctioned strength of SSB were redeployed. The applicants, however, continued to serve in the same department. In the year 2009, the benefit of financial upgradation, i.e., MACP was granted to the applicants. Later, they were promoted vide order dated 14.08.2013 in the pay scale of Rs.15600-39100 with Grade Pay of Rs.6600/-. Vide the impugned order, the benefit granted to the applicants has been taken away. Apart from other contentions, it is stated on behalf of the applicants that the impugned order has been passed without affording them any opportunity of being heard.

3. Under the given circumstances, without commenting on the merits of the controversy, this Application is disposed of without insisting for reply at this stage.

4. The impugned order having been passed in violation of principles of natural justice without affording any opportunity of being heard is not sustainable in law. The same is hereby set aside. The respondents will have the liberty to pass fresh order after affording reasonable opportunity of being heard to the applicants. Applicants may file written representations within two weeks. Order 'Dasti'.

(P. K. Basu)
Member (A)

(Permod Kohli)
Chairman

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