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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 20/2003

New Delhi this the 6th day of January, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri V. Srikantan, Member (A)

Shri Raghubir Singh
S/O Shri Narpat Singh
R/O 456, Sector-9,
R.K. Puram, New Delhi.

Shri Mahender Singh
S/O Shri Hira Lal,
R/O A-478, Shakur Pur,
J.J. Colony, Delhi

... Applicants

(By Advocate Shri B.S. Gupta, learned
counsel through proxy counsel
Shri S.K. Gupta)

VERSUS

1. Union of India, through
Secretary, Ministry of Finance,
Deptt. of Expenditure, North
Block, New Delhi.
2. Secretary,
Ministry of Personnel and
Training, Ministry of Personnel
and Training, North Block,
New Delhi.
3. Secretary,
Ministry of Water Resources,
Govt. of India, Sharam Shakti
Bhawan, New Delhi.
4. Director,
Central Soil and Materials
Research Station, Hauz Khas,
New Delhi.

... Respondents

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J))

This application has been filed by the two
applicants who are aggrieved by the O.M. issued by the
respondents dated 2.7.2002 (Annexure A 1).

[Signature]


2. The applicants have submitted that further to their representation dated 11.4.2001, respondent No.3 i.e. Ministry of Water Resources had submitted a proposal dated 30.7.2001 to the office of Respondent No.1, regarding upgradation of pay scales of Laboratory Assistants((LAs) in CSMRS in the office of respondent No.4 which has not been agreed to by respondent No.1. On perusal of the impugned O.M.issued by respondent No.3, it is seen that this is not a reasoned and speaking order. Absolutely no reasons have been conveyed to the applicants as to why their representations and proposal made by respondent No.3 dated 30.7.2001, regarding upgradation of pay scales of LAs in CSMS has not been agreed to by respondent No.1. Needless to say, it was incumbent upon the respondents, including respondent No.1, to have dealt with all ^{the} points raised by the applicants and particularly, if they have rejected their claims, the same ought to have been done by giving a detail, speaking and reasoned order, which is not the position in the present case. In other words, principles of natural justice have not been complied with by the respondents.


2. In the above facts and circumstances of the case, we consider it appropriate in the interest of justice, that without issuing notices to the respondents, the OA can be disposed of with the following directions:-

Respondents, in particular respondents 1 and 2, to pass a reasoned and speaking order on the aforesaid

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representation made by the applicants together with the proposal sent by respondent No.3 dated 30.7.2001, regarding the claim of the applicants for upgradation of pay scales. As they have already examined the issues before passing the impugned O.M. ^{18/} ~~18/~~ dated 2.7.2002, a speaking order should be passed within two months from the date of receipt of a copy of this order, with intimation to the applicants.


(V.Srikantan)
Member (A)


(Smt.Lakshmi Swaminathan)
Vice Chairman (J)

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