
(2020) 08 CAT CK 0005

In the Central Administrative Tribunal

Case No : Original Application No. 100, 969 Of 2020

Ravi Kant Singh & Others

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 04-08-2020

Acts Referred:

Citation : (2020) 08 CAT CK 0005

Hon'ble Judges : L. Narasimha Reddy, J;A.K. Bishnoi, Member (A)

Bench : Division Bench

Advocate : Setu Niket, K. K. Sharma

Final Decision : Disposed Of

Judgement

L Narasimha Reddy, J

M.A. 1198/2020

1. This MA is filed with a prayer to permit the applicants to join together in filing the OA. It is stated that the cause of action of the applicants is common and accordingly they intend to file a single OA. After perusal of the record, we find that the cause of action is common for all the applicants, therefore MA is allowed.

O.A.969.2020

1. This OA is filed challenging the individual show cause notices dated 03.07.2020 issued to the applicants. The applicants were extended the benefit of MACP in the year 2009 while working as Guards. In the show cause notice, it is stated that the applicants were not entitled to such benefit.

2. We heard Sri Setu Niket, learned counsel for the applicants and Mr.Krishan Kant Sharma, learned standing counsel for the respondents.

3. What is challenged in the OA is show cause notice. Though, it is urged that the applicants were sanctioned the benefit according to law the applicants, can state that very ground in their explanation to the show cause notice. Unless it is

pointed out that the authority who issued show cause notice did not has the competence, we just cannot interfere with a show cause notice. The fear of the applicants that the respondents may pass an order adverse to them and immediately enforce it, can be allayed by directing that in the event of any adverse order being passed, it shall not be enforced for a period of two weeks.

4. We, therefore, dispose of the OA declining to interfere with the show cause notice. However, we direct that it shall be open to the applicants to file reply to the show cause notice and in the event of any order adverse to their interest being passed, it shall not be enforced for a period of two weeks from the date, it is served on the applicants.