

\$~28

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 12524/2018 with CM APPL. 48607/2018

ASSOCIATION OF AKASHVANI AND DOORDARSHAN  
ENGINEERING EMPLOYEES (AADEE) AND ORS. .... Petitioners

Through: Mr. M.K. Bhardwaj, Advocate.

versus

UNION OF INDIA AND ORS. .... Respondents

Through: Mrs. Suparna Srivastava and Mr.Nehul  
Sharma, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE VIPIN SANGHI**

**HON'BLE MR. JUSTICE A. K. CHAWLA**

**ORDER**

% **26.11.2018**

Issue notice. Notice is accepted on behalf of the respondents.

The petitioner is aggrieved by the interim order dated 30.10.2018 passed by the Central Administrative Tribunal, Principal Bench, New Delhi ('the Tribunal') in OA No.2449 of 2018 and MA No.2735 of 2018.

Since the issue is short, we have heard learned counsel for both the sides and proceed to dispose of the petition.

The petitioners preferred the aforesaid Original Application being aggrieved of the proposal to reduce the pay-scale of the petitioners to their detriment. When the Original Application was initially heard on the aspect of interim relief on 20.07.2018, the Tribunal directed maintenance of *status quo* with respect to fixation of pay as well as recovery. On that date, the counsel for both sides had been heard by the Tribunal. The grievance of the petitioners is that the Tribunal has, unilaterally, modified the interim order to the limited

extent of staying the recovery from the petitioners vide impugned order dated 30.10.2018. However, the stay of re-fixation of pay has been vacated.

Ms. Srivastava, learned counsel for respondents submits that this modification was made without there being any application moved by any of the respondents seeking variation of the interim order.

There is no dispute about the fact that no application to seek variation of the interim order was moved before the Tribunal. Though the impugned order records that parties had been heard at some length by the Tribunal, there is no reason indicated in the impugned order as to why the interim order dated 20.07.2018 had been modified to the detriment of the petitioners.

In these circumstances, we set aside the impugned order dated 30.10.2018 and restore the order dated 20.07.2018 passed by the Tribunal.

We are informed that the original application is listed on 06.12.2018. On the said date, neither of the parties shall seek nor be granted any adjournment and the Tribunal should endeavour to hear the Original Application. Before the said date, the parties should complete their pleadings before the Tribunal.

Petition stands disposed of accordingly.

Order *dasti*.

**VIPIN SANGHI, J**

**A. K. CHAWLA, J**

**NOVEMBER 26, 2018**

nn