

BEFORE
HON'BLE THE CHIEF JUSTICE MR. AJIT SINGH
HON'BLE MR. JUSTICE MANOJIT BHUYAN

11.12.2017

(Ajit Singh, C.J.)

Mr.BK Das and Mr.HP Guwala, learned counsel for the petitioners.

Mr.S Nath and Mr.GJ Sharma, learned counsel for the respondents.

This petition under Article 226 of the Constitution is directed against the order dated 21.9.2017 passed by the Central Administrative Tribunal, Guwahati Bench, whereby it has passed certain directions against the petitioners in O.A. No.040/00277/2017.

It is submitted by the petitioners that the case of respondents was taken up, heard and decided on the first day of hearing itself without giving any opportunity of hearing to the petitioners. According to the petitioners, their counsel was not even given time to seek instructions in the matter.

The learned counsel for the respondents did not dispute this fact that the case was decided on the first day of hearing itself without giving any opportunity to the learned counsel for petitioners to seek instructions in the matter.

On perusal of the impugned order, we also find that no opportunity of hearing was given to the petitioners by the Tribunal. On the pretext of advancing speedy justice, the Tribunal cannot deny an opportunity of

hearing to the petitioners. The impugned order of the Tribunal is apparently violative of the principles of natural justice. It, therefore, cannot be sustained and is accordingly quashed. The matter is remanded to the Tribunal for afresh decision on merits after giving reasonable opportunity of hearing to the petitioners.

The petition is allowed.

JUDGE

CHIEF JUSTICE

skd