

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/01020/2019

HYDERABAD, this the 28th day of November, 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman

Hon'ble Mr. B.V. Sudhakar, Admn. Member

P NAGARAJU,
S/o P Kotasatyam (Late), (Gr.D)
Aged 46 years,
Occ: Gramin Dak Sevak,
O/o Darsiparru P.O, Pentapadu Sub-Office,
Tadepalligudem Division,
West Godavari District.

... Applicant

(By advocate: Mr. N. Vijay)

Vs.

1. Union of India
Ministry of Communications and IT,
Department of Posts, Dak Bhavan,
New Delhi, rep. by its Secretary,
2. The Chief Post Master General,
A.P.Circle, Krishna Lanka,
Vijayawada,
3. The Superintendent of Post Offices,
Tadepalligudem,
West Godavri District.

Respondents

(By advocate: Mr. B Siva Sankar, Addl.CGSC)

ORAL ORDER

(PER HON'BLE Mr. JUSTICE L.NARASIMHA REDDY,
CHAIRMAN

Applicant is working as Gramin Dak Sevak/Mail Carrier (GDS/MC) in the Department of Posts in Tadepalligudem Division. Superintendent of Post Offices, Tadepalligudem, Respondent No.3 herein, passed order dated 23.10.2019 requiring the applicant to pay a sum of Rs.1,94,141/- by stating that the said amount was paid to him in excess of his entitlement, towards pay and allowances.



2. This OA is filed challenging the order dated 23.10.2019.
3. Heard Mr. N.Vijay, learned counsel for applicant and Mr. B.Siva Sankar, learned standing counsel for respondents.
4. Applicant was issued order dated 20.09.2018 requiring him to credit the amount of Rs.1,94,141/- into the Post Office account. On receipt of the same, applicant submitted representation dated 23.11.2018 with a request to furnish particulars. It is also stated that the office was held by several other persons and unless particulars are known, it would not be possible for him to take steps for compliance. However, respondents issued impugned order dated 23.10.2019 without referring to any facts or representation of the applicant. It has not been indicated as to when and on what account the applicant was paid the amount in excess of his entitlement, which is sought to be recovered. We are of the view that impugned order does not accord with law.

5. We, therefore, allow the OA and set aside the impugned order dated 23.10.2019. It is, however, left open to respondents to pass a reasoned order duly furnishing the particulars of amount which is said to have been paid to the applicant in excess of his entitlement.

6. There shall be no order as to costs.

(B V SUDHAKAR)
MEMBER (A)

(JUSTICE L.NARASIMHA REDDY)
CHAIRMAN

vsn

