

CENTRAL ADMINISTRATIVE TRIBUNAL:PRINCIPAL BENCH

O.A.No.2353/98

New Delhi, this the 14th day of December, 1998

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER(J)
HON'BLE MR. N. SAHU, MEMBER(A)

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1. Shri Ved Ram, Mazdoor(Civilian),
S/o Shri Sumer Singh,
Office of the Commandant,
Ammunition Depot,
Bharatpur(Rajasthan).
Permanent Address:

Village- Nagla Mana, Post-Uspar,
District-Mathura(U.P.).

2. Shri Chhiddi Ram, Mazdoor(Civilian),
S/o Shri Shyama,
Office of the Commandant,
Ammunition Depot,
Bharatpur(Rajasthan).
Permanent Address:

Village- Nabipur, Post-Uspar,
District-Mathura(U.P.).

3. Shri Shyam Lal, Mazdoor(Civilian),
S/o Shri Gore Lal,
Office of the Commandant,
Ammunition Depot,
Bharatpur(Rajasthan).
Permanent Address:

Village- Tarsi, Post-Dhangaon,
District-Mathura(U.P.).

4. Shri Ram Chand, Mazdoor(Civilian)
S/o Shri Lohrey,
Office of the Commandant,
Ammunition Depot,
Bharatpur(Rajasthan).
Permanent Address:

Village- Tarsi, Post-Dhangaon,
District-Mathura(U.P.).

5. Shri Ram Babu, Mazdoor(Civilian),
S/o Shri Gopi,
Office of the Commandant,
Ammunition Depot,
Bharatpur(Rajasthan).
Permanent Address:

Village- Mohanpur, Post-Aduki,
District-Mathura(U.P.).

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6. Shri Gaddar, Mazdoor (Civilian),
S/o Shri Pitambar,
Office of the Commandant,
Ammunition Depot,
Bharatpur (Rajasthan).
Permanent Address:

Village- Tarsi, Post-Dhangon,
District-Mathura(U.P.).

7. Shri Janki Prasad, Mazdoor (Civilian),
S/o Shri Shyam Lal,
Office of the Commandant,
Ammunition Depot,
Bharatpur (Rajasthan).
Permanent Address:

Village- Nagla Bhola Nath, Post-Dhaulipiao,
District-Mathura(U.P.).

8. Shri Yad Ram, Mazdoor (Civilian),
S/o Shri Tikka Ram,
Office of the Commandant,
Ammunition Depot,
Bharatpur (Rajasthan).
Permanent Address:

Village- Purani Chungi Wali Gali,
Post-Dhaulpia, District-Mathura(U.P.) - Applicants

(By Advocate: Shri D.N. Sharma)

Versus

1. Union of India
through the Secretary to the
Govt. of India,
Ministry of Defence,
South Block,
New Delhi.
2. The Quarter Master General,
Quarter Master General's Branch,
Army Headquarters,
D.H.Q. Post Office,
New Delhi.
3. The Director General of Supplies & Transport(ST-12),
Quarter Master General's Branch, Army Headquarters, 'Sena Bhawan',
D.H.Q. Post Office,
New Delhi.
4. The Commandant,
Ammunition Depot,
Bharatpur(Rajasthan).

- Respondents

(By Advocate: None)

O R D E R (ORAL)

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)

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Heard Shri D.N.Sharma, learned counsel for applicants. He has submitted that respondent number 4 namely, the Commandant, Ammunition Depot, Bharatpur (Rajasthan) has started recovering the amounts stated to be against the medical reimbursement, from the applicants from April, 1998. His main contention is that the recoveries have been ordered by respondent number 4 without holding any inquiry or even a ~~hearing~~ giving notice to the applicant or without any formal orders. He has drawn our attention to the letter dated 18.5.95 (Annexure A-1). Learned counsel has submitted that no inquiry has been held in terms of para 3 of this letter and no copy of the staff court of inquiry, which is stated to have been held in March/April, 1993, has also been furnished to the applicant. In the circumstances, he has submitted that the recoveries are illegal. However, learned counsel has not been able to state whether after April, 1998 and the filing of this O.A. on 23.6.98, the respondents have continued to make any recoveries or not.

2. We note that the applicants have made a detailed representation to respondent number 3 on 1.5.98 and as mentioned above, this O.A. has been filed on 23.6.98 and order on P.T. has been passed on 27.11.98.

3. In the above circumstances, this O.A. is disposed of with a direction to respondents to dispose of the pending representation dated 1.5.98 by a detailed

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and speaking order, after affording a personal hearing to the applicants. They should also furnish the relevant documents relied upon by them and pass ~~the~~ ¹⁸ reasoned and speaking order, with intimation to the applicants, within two months from the date of receipt of a copy of this order.

4. If the applicants have any further grievance, they are at liberty to pursue the same, in accordance with law. No order as to costs.

N. Sahu
(N. Sahu)

Member(A)

/dinesh/

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Member(J)