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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 856 of 1998

New Delhi, dated this the 3rd September, 1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Shri K.L. Chaturvedi,
S/o Shri T.R. Chaturvedi,
E-Head Book Clerk, N. Rly.,
Jodhpur Div. Marwar Bhimial
C/o Shri O.N. Sharma,
MN-39, Bari Mor Sarai,
Koria Pul,
Delhi-110006. APPLICANT

(By Advocate: Shri D.N. Sharma)

Versus

1. Union of India through
the Secretary,
Ministry of Railways ((Railway Board)),
Rail Bhawan, New Delhi.
2. The General Manager,
Northern Railway Hqrs.,
Baroda House, New Delhi.
3. The Divl. Railway Manager,
Northern Railway, Jodhpur Div.,
Jodhpur, Rajasthan.
4. The Asst. General Manager,
State Bank of India, Main Branch,
Mathura, U.P. RESPONDENTS

(By Advocates: Shri R.L. Dhawan for

R-1 to 3
Shri Munish Malhotra
for R-4)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant impugns the recovery of
Rs.12,080/- from his pensionary entitlements
during the period November, 1997 to March, 1998.

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2. I have heard applicant's counsel Shri D.N.Sharma and Respondents' counsel Shri Dhawan. I have also perused the replies filed by respondent, including Respondent No.4 the State Bank of India, Mathura Branch.

3. In R-4's reply it is stated that as per PPO received by them applicant was sanctioned pension of Rs.889/- p.m. Simultaneously applicant had got commuted Rs.296/- p.m. of the aforesaid pension reducing the same to Rs.593.00 p.m. but through oversight, while completing the disbursement related formalities at the bank level, applicant was released pension at the rate of Rs.889/- p.m., and this error continue till it was detected in October, 1997. Thus applicant received an excess amount of Rs.20,424.00, which they are proceeding to recover from him.

4. Manifestly the cause of action, if any which arose to applicant clearly lies against State Bank of India (R-4) who does not come within the Tribunal's jurisdiction, and not against any of the official respondents.

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5. Under the circumstances this OA is dismissed giving liberty to applicant to pursue his grievance in appropriate legal forum , if so advised. No costs.

Abdul
(S.R. ADIGE)
VICE CHAIRMAN (A)

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