

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

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O.A. No. 2539/94

New Delhi, this the 22nd of December, 1994.

HON'BLE SHRI J.P.SHARMA, MEMBER (J)
HON'BLE SHRI B.K. SINGH, MEMBER (A)

Raja Ram s/o

s/o Shri Bhawan,
R/o 11/38, Mangol Puri,
Delhi- 83.

Applicant

(By Shri Rajinder Pandita, Advocate)
with Mr. M.C. Singh

Versus

Union of India through

1. Chief Post Master General,
Delhi Circle,
Meghdoot Bhawan,
New Delhi - 110 001.
2. Chief Post Master,
G.P.O. Gole Dak Khana,
New Delhi - 110 001.
3. State of U.P.
Through Secretary Revenue,
Vidhan Sabha, Lucknow.
4. Collector (Revenue),
Faizabad, U.P.
5. Tehsildar (Revenue),
Tehsil Jalalpur,
District Faizabad,
Uttar Pradesh.

Respondents

(By none)

JUDGEMENT (ORAL)

HON'BLE SHRI J.P.SHARMA, MEMBER (J)

The applicant has filed this application against the recovery certificate issued by Chief Post Master, New Delhi by letter dated 15.9.1994. The applicant has prayed in this application for quashing of this Certificate.

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2. The facts of the case are that sometime in April, 1991 the applicant was put under suspension while working as Postal Assistant by the Chief Post Master, New Delhi. He has also been served with a Memo of Chargesheet containing Article of Charge that he failed to ensure while working at N.S.C. Discharge Counter on 22nd April, 1991, a sum of Rs. 1,00,000/- out of Rs. 1,55,000/- which he obtained as an advance from the Treasury at about 10.00 a.m. on the same date. Just few minutes later of the receipt of the advance he reported loss of Rs. 1,00,000/- from the counter. It appears that subsequently while the proceedings of the enquiry had been in progress, the order of suspension was re-called by an order dated 6.6.1994.

3. We are afraid of that ^{issue of} the recovery of a sum of Rs. 1,00,000/- whether can be entertained as a service matter for adjudication by the Tribunal or not. However, since we find that the application is totally pre-mature for the reasons that the applicant has not made any representation ^{against} for recovering the aforesaid amount of Rs. 1,00,000/- as arrears of land revenue. We, therefore, after considering the contention of the learned counsel that the applicant did make any representation of the nature on which this order of suspension was re-called in June, 1994, still not convinced that an effective representation was made by the applicant as no copy of the same has been annexed nor any specific date has been averred in the original application.

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3. In view of the facts and circumstances, we dismiss this application with the above observation as not maintainable at this stage and leaving the question of jurisdiction open to be considered at the relevant point of time if the applicant still harbours a grievance and wants to assail the same according to law.


(B.K. SINGH)
MEMBER(A)


(J.P. SHARMA)
MEMBER (J)

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