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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 265/2002 in
MA 1405/2002
OA 1596/2000

New Delhi this the 19th day of August, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri M.P.Singh, Member (A)

Hariom Sharma,
presently Postal Assistant,
Head Post Office, Mathura,
R/O Vill and Post Raya
District Mathura

..Petitioner

(By Advocate Shri D.P.Sharma)

VERSUS

1. Shri S.C.Dutta,
Secretary Ministry of
Communication, Department
of Posts Cum Director
General of Posts Dak Bhawan,
Parliament Street, New Delhi.

2. Shri A.S.Tyagi,
Senior Supdt.Post Offices,
Mathura Division, Civil lines,
Mathura.

..Respondents

(By Advocate Shri N.S. Mehta)

O R D E R (ORAL)

(Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)

We have heard Shri D.P.Sharma, learned counsel for the petitioner and Shri N.S.Mehta, learned senior counsel for the respondents in CP 265/2002 and MA 1405/2002 in OA 1596/2000.


2. Shri D.P.Sharma, learned counsel has submitted that even after the Tribunal's order dated 16.4.2002 has been passed in OA 1596/2000, the respondents have made recoveries from the salary of the applicant from April, 2002 to July, 2002. Shri N.S. Mehta, learned senior counsel

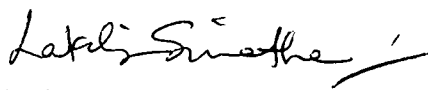
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has fairly submitted that this could not have been done in the light of the aforesaid order of the Tribunal and he would advise the Department forthwith to refund the same to the applicant. Learned counsel has, however, submitted that they may be granted one month's time to implement the order and within this period if they do not get any stay order from the Hon'ble Delhi High Court against the aforesaid order, the same would be fully implemented by the Department. Shri D.P.Sharma, learned counsel has also been heard and he has no objection to the same.

3. Having regard to the relevant facts and submissions made by the learned counsel for both the parties, CP 265/2002 is disposed of together with MA 1405/2002, taking note of the above submissions of the learned counsel for the respondents which should be implemented in toto. Accordingly notices issued to the alleged contemnors are discharged. File to be consigned to the record room.


(M.P.Singh)
Member (A)


(Smt.Lakshmi Swaminathan)
Vice Chairman (J)

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