

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 14th day of February 2002.

QUORUM : HON. MAJ. GEN. K.K. SRIVASTAVA, A.M.
HON. MR. A.K. BHATNAGAR, J.M.

O.A. No. 1498 of 1998.

1. Sri Purushottam Lal Jaiswal a/a 56 years s/o Late Sri Sarju Prasad r/o 92/23/31B, Ramanandnagar, Bhardwajpuram, Allahabad.
2. Sri Sheo Pujan Singh s/o Late Sri Bhagwati Singh r/o 964/28-B/84-L, Bhardwajpuram, Allahabad.

..... Applicants.

Counsel for applicants : Sri P. Ojha.

Versus

1. Union of India through Controller General of Defence Accounts, West Block V, R.K. Puram, New Delhi.
 2. The Chief Controller Defence Accounts (Pension), Allahabad.
- Opposite Party.

Counsel for O.Ps. : Km. S. Srivastava.

O R D E R (ORAL)

BY HON. MAJ. GEN. K.K. SRIVASTAVA, A.M.

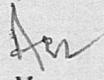
In this O.A. filed under section 19 of the A.T. Act 1985, the applicant has prayed that the direction be issued to the respondents to refund the amount recovered from their salary along with interest in accordance with law on account of over payment of O.T.A. The facts giving rise to this O.A. are that the applicants No.1 was working as Senior Auditor and Applicant No.2 is still working as Senior Auditor in the respondents establishment. The applicants were directed to carry out extra work on Saturdays and Sundays due to heavy work load pending because of shortage of staff. The applicants were paid extra work allowance for the extra work rendered by them. As per the applicants, they were never communicated that they were not entitled for extra work allowance once their pay was fixed to the grade of

Rs. 2250/- ^{in Respondents} ordered for the recovery and ⁱⁿ affected the recovery from the applicants. ⁱⁿ without giving any opportunity of hearing the ⁱⁿ Applicant No.1 made a representation to CGDA on 15.12.97 which has been decided by the respondent No.2 vide order dated 22.1.98 placed at Annexure 12 to the C.A.

2. From the perusal of the order, we are of the opinion that the representation of the applicant has not been decided by a reasoned order which ought to have been done. We are of the opinion that the applicants should file fresh representations before Respondent No.2 within four weeks which shall be decided by a reasoned order within specified time.

3. We, therefore, dispose of this application with direction to Respondent No.2 that the representations so filed by the applicants shall be decided within three months, ^{in by speaking order} from the date the representations from the applicants are received along with a copy of this order.

There shall be no order as to costs.


J.M.


A.M.

Asthana/
15.2.02.