

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 13th day of Dec.2001.

QUORUM : HON. MR. RAFIQUDDIN, J.M.

O.A. No.1461 of 2001.

1. Som Pal s/o Jhamman posted as Gangman in Gang No.5, r/o
Subhash Road, Mohalla Rai Satti, Chandausi, District
Moradabad... .. Applicant.

Counsel for applicant : Sri R.P. Shukla.

Versus

1. Union of India through General Manager, Baroda House,
Headquarter, New Delhi.
2. Divisional Railway Manager, N.R., Moradabad Division,
District Moradabad.
3. Divisional Superintending Engineer, Moradabad Division,
Northern Railway, Moradabad.
4. Assistant Engineer, Northern Railway at Chandausi, District
Moradabad..... .. Respondents.

Counsel for respondents : Sri A.K. Gaur.

O R D E R (ORAL)

BY HON. MR. RAFIQUDDIN, J.M.

The applicant, who is posted as a Gangman under Assistant Engineer, N.R. at Chandausi (Respondent No.4) has filed this O.A. for issuing directions to the respondents to decide his representation and to restrain the respondents from making any recovery from his pay.

2. According to the applicant, he was initially appointed as Gangman on 1.4.85 under the pay scale of Rs.745-1025 and has been continuously working on the post till date. The applicant found that a sum of Rs.1000/= is being deducted from his salary from the month of July 2001. The applicant made certain enquiries from his office as to why the deduction has been made from his salary without any reason. The applicant, therefore, sent a legal notice to the respondents through his counsel to show cause as to why

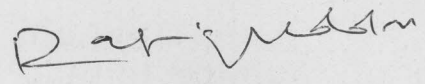
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or under what provisions, the recovery has been made from his salary. The notice was duly served on Respondent No.3 on 18.10.01 but nothing has been done, hence he has filed the present O.A.

3. I have heard the counsels for the parties.

4. It is evident from the perusal of the notice dated 9.10.01, a copy of which is annexed as Annexure-3 to this O.A. that the same was sent by the applicant through his counsel. Therefore, it is not possible for this tribunal to issue any direction to the respondents for the disposal of such legal notice. The counsel for the applicant, however, submits that the applicant may be permitted to file a fresh representation to the competent authorities for his grievance. The applicant may submit a fresh representation mentioning his grievance before the competent authority who will decide and pass an appropriate order within a period of three months from the date of communication of this order.

The O.A. is disposed of accordingly.


J.M.

Asthana/