

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.205 OF 2001
ALLAHABAD THIS THE 28TH DAY OF FEBRUARY, 2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN

Uma Shanker Mishra,
S/o Late Shitla Prasad Mishra,
resident of Village Mahwaipura,
Misirtali, Tappa Manda,
Pargana Khairagarh,
District-Allahabad.Applicant

(By Advocate Shri P. Ojha)

Versus

1. Union of India,
through Chief Controller,
Defence Accounts (Pension),
Allahabad.
2. Defence Pension Disbursing Officer,
Allahabad.
3. Manager, Punjab National Bank,
Manda Road,
P.O.-Nahwai,
Allahabad.Respondents

(By Advocate Shri R.C. Joshi)

O R D E R

By this O.A. filed under section 19 of Administrative Tribunals Act 1985, the applicant has challenged the recovery of the amount of Rs.20,859/- @ of Rs.1144/-^{per m.m.} from the pension.

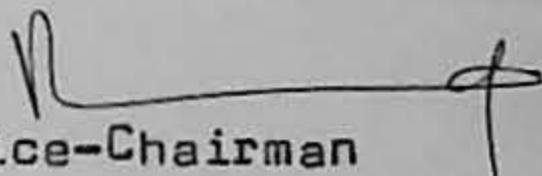
2. It is not disputed that the amount has already recovered from the applicant. The amount related to loan taken by/ ^{the applicant} from Cooperative Credit Society. There is no



allegation in the O.A. that the amount was ever paid by the applicant. As the applicant does not deny the liability and there is no material on record on which basis it can be said that the amount was paid by the applicant, the applicant ^{is} under obligation to pay back the loan taken.

3. In the circumstances, I do not find any illegality in the ~~order directing the amount recovered by~~ amount recovered by the applicant. The O.A. has no merit and is accordingly dismissed.

4. There will be no order as to costs.


Vice-Chairman

/Neelam/