

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

Dated: Allahabad, the 25th day of May, 2001.

Coram: Hon'ble Mr. Rafiq Uddin, J.M.

ORIGINAL APPLICATION NO. 643 OF 2001

Subhash Chandra,
s/o Late Sri B. R. Kathuria,
r/o Model Town Bareilly,
presently is working as FGM HS-II,
A. G. E. E/M Izatnagar, Bareilly
under Control of the G.E. (I) AF
Izatnagar, Bareilly.

.... Applicant

(By Advocate: Sri R. C. Pathak)

Versus

1. Union of India through the
Defence Secretary, Ministry of Defence,
Government of India, New Delhi.
2. The Controller Defence Account (Army),
Central Command, Meerut Cantt.
Meerut (U.P.).
3. The Garrison Engineer (I) AF
Izatnagar, Bareilly (U.P.).
4. The Assistant Account Officer,
Unit MES GE (I) AF
Izat Nagar, Bareilly.
5. The Assistant Garrison Engineer E/M
Izatnagar, Bareilly, c/o GE (I) AF
Izatnagar, Bareilly (U.P.).

.... Respondents

(By Advocate: Sri R. C. Joshi)

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O R D E R (ORAL)

(By Hon'ble Mr. Rafiq Uddin, JM)

The applicant, who is working as FGM HS-II in the office of AGE/M, Izat Nagar Bareilly, has filed this O.A. for quashing the order dated 30.1.2001 issued by the Respondent No.2. By the said order, the Respondent No.3 had ordered recovery of L.T.C. advance granted to the applicant on 6.11.98. It has been submitted by the learned counsel for the applicant that the representation dated 1.5.2001 and 12.5.2001 were submitted by the applicant before the Garrison Engineer (I) AF, Respondent No.3 for consideration and decision on his request but the same are still pending for disposal. The learned counsel for the applicant, therefore, states that the O.A. may be disposed of with a direction to the Respondent No.3 to consider and pass appropriate orders as per rules, after giving proper opportunity for personal hearing to the applicant. The O.A. is accordingly disposed of with a direction to the Respondent No.3 to consider and pass appropriate orders on the aforesaid representations of the applicant after giving proper opportunity to the applicant for his personal hearing. It is, however, provided that in the meantime no recovery shall be made from the salary of the applicant on the basis of the impugned order dated 30.1.2001 ^{till} the representations of the applicants are finally disposed of by the Respondent no.3. No order as to costs.

Rafiq Uddin
(RAFIQ UDDIN)
JUDICIAL MEMBER.

Nath/