

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

(Y)

ORIGINAL APPLICATION NUMBER 101 OF 2004

ALLAHABAD, THIS THE 20th DAY OF MAY, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER(J)

Munni Lal,
s/o Late Jitu Ram,
r/o Mohalla Ratanganj,
District-Mirzapur, Uttar Pradesh.

.....Applicant

(By Advocate : Shri Ghanshyam Singh)

V E R S U S

1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. The General Manager, Northern Railway, Baroda House, New Delhi.
3. The Divisional Railway Manager (P), Northern Railway, New Delhi.
4. The Deputy Chief Engineer (Construction), Northern Railway, Allahabad.

.....Respondents

(By Advocate : Shri A.K. Gaur)

O R D E R

By this O.A. applicant has sought the following reliefs:-

- (i) to direct the respondent No.3 to refund Rs.11,005/- with 12% interest with effect from 24.10.1987 till the date payment to the applicant, which was excessively recovered from the applicant's DCRG as house rent.
- (ii) to direct the respondent No.3 to revise the applicant pension w.e.f. 30.04.1996 at the last pay drawn Rs.5750/-
- (iii) to direct the respondent No.3 to decide the applicant's last representation dated 04.03.2003. (Annexure No.3 to the O.A.) with two months by a reasoned order."

2. It is submitted by the counsel for the applicant that vide letter dated 20.07.1998 office of Deputy Chief Engineer Allahabad had already written to the Divisional Railway Manager(P), Northern Railway, New Delhi that the revised statement showing recovery on account of House Rent to be done instead of already done earlier through D.C.R.G. Applicant has informed that by this office letter even No. dated 24.10.1997 along with L.P.C. and final no dues certificate amounting to Rs.12,981/- which should be now Rs.1976/- as such the excess amount recovered i.e. Rs.11,005/- may please be refunded through Pay order or cheque as per admissible to the employee early under advice to this office. But inspite of it, till date, the said amount has not been paid back to him inspite of repeated letters written by him to the authorities concerned. They ^{even} _{been} have not given any reply to the applicant. Thus, he has forced to file the present D.A.

3. As far as relief No.2 is concerned, counsel for the applicant submitted that he is giving it up as it does not flow from the first relief and two different reliefs cannot be sought in the same D.A. Therefore, relief No.2 is not pressed by the counsel for the applicant.

4. It is seen that applicant has already filed his representation at Page 12 of the D.A. dated 20.08.1999 and subsequent reminders sent through postal authorities for this purpose. As far as relief No.1 is concerned, since this is a matter which requires to be considered by the authorities concerned on the basis of records available with them, it is felt that this D.A. can be disposed off at the admission stage itself by giving direction to the respondent No.3 to consider the representation of the applicant with regard to relief No.1 and to pass appropriate speaking order thereon within a period

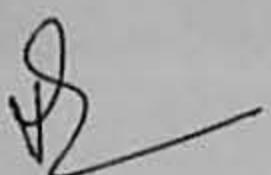
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(3)

of 3 months from the date of receipt of a copy of this order under intimation to the applicant.

5. With the above direction, this O.A. is disposed off at the admission stage itself with no order as to costs.


Member (J)

shukla/-