

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/217/2021

HYDERABAD, this the 12th day of March, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**



A. Prakash, S/o.A.B. Ramulu, Gr. C
Aged about 63 years,
Occ: Retired Station Superintendent,
Secunderabad Division,
South Central Railway,
R/o. H.No.29-1502/7, Neredmet,
Ramakrishnapuram, Kakatiyanagar,
Hyderabad.Applicant

(By Advocate :Sri K. AltafHussain)

Vs.

1. Union of India rep. by
The General Manager,
South Central Railway, Rail Nilayam, 3rd floor,
Secunderabad – 500 025.
2. The Principal Chief Personnel Officer,
South Central Railway,
Rail Nilayam, 4th floor,
Secunderabad – 500 025.
3. The Divisional Railway Manager,
Secunderabad Division,
South Central Railway, SanchalanBhavan,
Secunderabad – 500 025.
4. The Senior divisional Personnel Officer,
Secunderabad Division,
South Central Railway,
SanchalanBhavan,
Secunderabad – 500 025.
5. The Senior divisional Financial Manager,
Secunderabad Division,
South Central Railway,
SanchalanBhavan, Secunderabad – 500 025.Respondents

(By Advocate: Sri T. Sanjay Reddy for Sri T. Hanumantha Reddy,
SC for Rlys.)

ORAL ORDER
(As per Hon'ble Mr. Ashish Kalia, Judl. Member)

Through Video Conferencing:



The OA is filed seeking the following relief:

“to call for the records pertaining to the issuance of the impugned orders issued by the respondents and quash and set aside the same by declaring the action of the respondents as illegal, arbitrary against the judgment of State of Punjab VsRafiqMasih, DoPT instructions contained in it O.M.No.F.18.03/2015-ESTT(Pay-1)dated 02.03.2016 and against PCPOSerial Circular No.75/2016 dated 19.07.2016 and consequently direct the respondents to refund the amount of Rs.78,163/- which deducted from the settlement dues of the applicant along with accrued interest of 25% per annum and allow the OA. with exorbitant costs, and pass such other and further order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.”

2. The applicant has since been retired on 31st May, 2017 as Station Superintendent. A recovery of Rs.78,163/- was made while settling his retiral dues, without giving any notice.
3. Sri. K. AltafHussain, learned counsel for the applicant relied upon the judgment passed by the Apex Court in the matter of *State of Punjab VsRafiqMasih*.
4. Notice accepted by Sri. T. Sanjay Reddy representing Sri T. HanumanthaReddy, learned Standing Counsel for the Respondents.
5. After hearing the learned counsel for the parties, we are of this view that let the applicant make a detailed representation raising his grievance and the respondents may consider it.

6. Accordingly, the OA is disposed of with a direction to the applicant to prefer a detailed representation and the Respondents shall consider and dispose of the same within a period of eight weeks, by passing a well reasoned speaking order. In case grievance still subsists, the applicant is at liberty to approach this Tribunal again as per law.



7. The OA is disposed of at admission stage without going into the merits of the case. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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