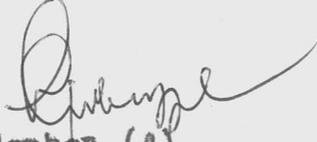




on 20-3-91. The only question for consideration is as to whether the penal rent can be recovered from the salary of the applicant. Of course, no proceedings have been initiated against the applicant. It was always open for the respondents to take proceedings against the applicant, but without taking any proceedings against the applicant, they have started recovery of the penal rent from the salary of the applicant. The respondents should have given an opportunity to the applicant of being heard, but the same was not done. Accordingly this application is allowed and the recovery is quashed and the respondents cannot make any recovery unless proceedings are initiated and an opportunity is given to the applicant of being heard. No order as to the cost.

  
Member (A)

  
Vice-Chairman.

Dated: 15th Oct., 1992, Allahabad.

(tgk)

O.A.No.202/92

15/10/92 Hon.Mr.Justice U.C.Srivastava, V.C.  
Hon.Mr. K. Obayya, A.M.

As the pleadings are complete, the case  
is disposed of finally. The judgement  
has been dictated in the open Court.

(tgk)

  
A.M.

  
V.C.