

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 4TH DAY OF JULY, 2001

Original Application No.652 of 1994

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Tirth prasad Srivastava, son of
late Shri Raj Narain Srivastava
R/o village and Post Etaura,
Tehsil Karvi, District Banda

... Applicant

(By Adv: shri K.P.Singh)

Versus

1. Union of India, Ministry of Post and Telegraph, New Delhi.
2. Supdt. of Post Offices, Banda
Prakhand, banda
3. District Magistrate, Banda.

... Respondents


(By Adv:Ms.Sadhna Srivastava)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.


By this OA the applicant has challenged order dated 1.2.1994 by which an order has been passed by the Supdt. of Post Offices, Banda Division Banda directing to recover the sum of Rs.80,897.40p in exercise of powers under Public Accounts Default Act 1850. Hon'ble Supreme Court in case *S.L.P. No. 1505/1997* by order dated 2.9.97 has held that this Tribunal has no jurisdiction to hear the disputes in such matters, where the recovery of the amount under P.D.Act 1850 has been challenged. Following the view expressed by Hon'ble Supreme Court this Bench as well as Lucknow Bench of the Tribunal has taken the same view.

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In the circumstances, this OA is not found legally maintainable in this Tribunal and is dismissed. However, the applicant may challenge the order before the appropriate forum.



MEMBER (A)



VICE CHAIRMAN

Dated 4.7.2001

Uv/