

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Dated : This the 12th day of September 2002.

Original Application no. 768 of 2002.

Hon'ble Maj Gen K K Srivastava, Member [A]
Hon'ble Mr. A K Bhatnagar, Member [J]

Kiran Lal, S/o Sri Kalloo Ram,
R/o Railway Qr. no. RB III/927-B,
near Chaurch, Railway Colony, Jhansi.

... Applicant

By Adv : Sri R K Nigam

Versus

1. Union of India, through General Manager,
Central Railway, Mumbai CST.
2. Divisional Railway Manager, Central Railway,
Jhansi.

... Respondents

By Adv : Sri K P Singh

ORDER

Hon'ble Maj Gen K K Srivastava, AM.

By this OA, filed under section 19 of the A.T. Act, 1985, the applicant has prayed for a direction to the respondents to refund the entire amount which was recovered from Dec. 1999 onwards with 18% interest and also direction to the respondents to restore the basic pay of the applicant to Rs. 7250/- which was reduced to Rs. 6900/- vide impugned order dated 27.12.1999.

2. The applicant had already challenged this order through OA 161 of 2000 and this Tribunal quashed the impugned order by its order dated 19.3.2000 passed in O.A. no. 161/00.

....2/-

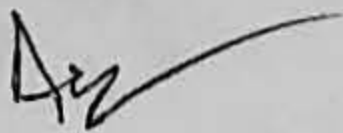



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As the impugned order dated 19.3.2000 has already been quashed by this Tribunal, the applicant's finding that the respondents have not complied with the order, filed a representation before Divisional Railway Manager, Central Railway, Jhansi on 6.5.2002 (Ann 3). Once the impugned order was quashed it was incumbent upon the respondents to take action as per law.

3. In view of the facts that the impugned order has already been quashed, the present OA is not maintainable. However, since the applicant has already taken premature retirement w.e.f. 30.1.2001, in the interest of justice we direct the respondents to consider the representation of the applicant's dated 6.5.2002 and pass order in accordance with law within a period of 2 months from the date of communication of this order.

4. There shall be no order as to costs.


Member (J)


Member (A)

/pc/