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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD**

This the 02nd day of August, 2007.

HON'BLE MR. JUSTICE KHEM KARAN, V.C.

ORIGINAL APPLICATION NO. 204 OF 2007

Brij Kishore Srivastava, Deputy Post Master
(Under suspension), Post office Rawatpur,
Kanpur Nagar, S/o late Ram Kumar Srivastava,
R/o House no. 107 Khyore Nawabganj, District
Kanpur Nagar.

.....Applicant

V E R S U S

1. Union of India through Secretary, Ministry
of Communication of Post Dak Bhawan, New
Delhi.
2. The Sr. Superintendent of Post Offices,
Kanpur City, Division, Kanpur.
3. Pravar Adhikshak, Post Office, Kanpur
Nagar Mandal Kanpur.
4. The Tehsildar, Kanpur Nagar, Kanpur.

.....Respondents

Present for the Applicant: Sri A.K.Srivastava
Present for the Respondents: Sri S. Singh

O R D E R

Heard Sri A.K. Srivastava appears for the
applicant and Sri S. Singh for respondents on this
O.A.

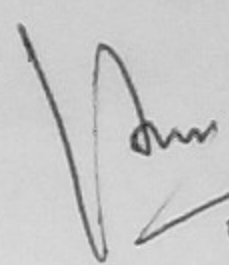
2. This O.A. is directed against the recovery
certificate dated 18.1.2007 (Annexure-1), issued by
Pravar Dak Adhikshak, Kanpur Nagar Mandal under the
provisions of Public Accounts Default Act, 1980 (in
short Act of 1980). One of the contentions of Sri S.



(7)

Singh is that in view of the decision dated 8.1.2007 of this Tribunal in O.A. no. 232 of 2007 in re. Lal Chand Vs. U.O.I. & Ors., this O.A. is not maintainable as the Tribunal has no jurisdiction to entertain such petitions against the recovery under the Act of 1980.

3. After having gone through the said decision, I am of the view that the O.A. is not maintainable. The learned counsel for the applicant was not able to show any decision taking a contrary view. So, this O.A. is dismissed as not maintainable. The stay order, if any, stands vacated. No costs.


2/8/07
VICE CHAIRMAN

GIRISH/-