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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.

VICE CHAIRMAN

GIRISH/-

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