

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.480/07

Thursday this the 24th day of July 2008

C O R A M :

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Dr.K.S.SUGATHAN, ADMINISTRATIVE MEMBER**

P.N.Krishnan Potty,
Postman, General Post Office,
Thiruvananthapuram – 1.

...Applicant

(By Advocate Mr.D.Sajeev & Mr.C.B.Sreekumar)

Versus

1. The Chief Post Master General,
Kerala Circle, Thiruvananthapuram.
2. The Senior Superintendent of Post Offices,
Thiruvananthapuram North Division,
Thiruvananthapuram.
3. The Post Master,
General Post Office,
Pulimoodu, Thiruvananthapuram – 1.
4. Postal, Telecom, BSNL Employees Co-operative
Society Ltd. No.1940, Thiruvananthapuram – 1,
represented by its Secretary.
5. K.S.Jayakumar,
E.D.Packer, Palkulangara Post Office,
Palkulangara P.O., Thiruvananthapuram.
6. The Post Master,
Palkulangara Post Office,
Palkulangara P.O., Thiruvananthapuram.

...Respondents

(By Advocate Mr.C.M.Nazar,ACGSC [R1-4&6] & Mr.S.Sreekumar [R5])

This application having been heard on 24th July 2008 the Tribunal on the same day delivered the following :-



ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The applicant has filed this O.A before this Tribunal seeking a direction to the respondents 2 to 4 & 6 to take effective steps for recovery from the salary of the 5th respondent and credit the same in the MDS Account Nos.A7/B and A27/6, forthwith. He has also sought direction to the 3rd and 4th respondents to credit Rs.2750/-, the amount which is deducted from his salary in his loan account with the 4th respondent, without appropriating the same in the MDS account of the 5th respondent. Further relief sought by the applicant is to direct the 2nd respondent to consider and pass order in Annexure A-3 representation and direct the 6th respondent to give effect to the certificate of undertaking given by him along with the salary certificate of the 5th respondent in order to produce before the 4th respondent – Society.

2. The applicant has earlier approached the Hon'ble High Court for the aforesaid relief. However, the Hon'ble High Court has directed the applicant to approach this Tribunal stating that the jurisdiction of the matter will come within the ambit of Section 19 of the Central Administrative Tribunals Act.

3. Thereafter notices was issued to the respondents. The Senior Superintendent of Post Offices, Thiruvananthapuram (2nd respondent) has filed an affidavit before this Tribunal stating that he is representing all the respondents except the 5th respondent. (It is not known as to how the said

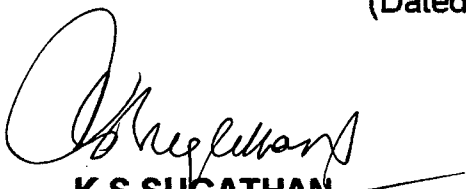


.3.

2nd respondent could file an affidavit on behalf of the BSNL Employees Co-operative Society also which is not a Government Department). He has further submitted that the 4th respondent is not amenable to the jurisdiction of this Tribunal and therefore this Tribunal cannot entertain this O.A.

4. When the matter came up for hearing today, counsel for the applicant himself sought permission to withdraw the O.A with liberty to approach the appropriate forum. Accordingly, the O.A is dismissed as withdrawn with liberty to applicant to approach the appropriate forum. There shall be no order as to costs.

(Dated this the 24th day of July 2008)


K.S.SUGATHAN
ADMINISTRATIVE MEMBER

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GEORGE PARACKEN
JUDICIAL MEMBER