

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.50 of 1996

Tuesday, this the 13th day of February, 1996

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR P V VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

B. N. Nair,
Assistant Store Keeper,
Naval Air Craft Yard,
Naval Base, Kochi -4.

.. Applicant

By Advocate Mr C S Abdul Sammad.

Vs

1 The Commodore Superintendent,
Naval Air Craft Yard,
Naval Base, Kochi -4.

2 Civilian Administrative Officer,
Naval Air Craft Yard,
Naval Base, Kochi -4.

.. Respondents

By Advocate Mr P R Ramachandra Menon, Addl.CGSC (represented)

The application having been heard on 13th February 1996,
the Tribunal on the same day delivered the following :

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

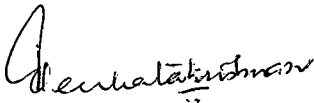
Applicant challenges A-2 order issued by second respondent, ordering recovery of Rs 1616/- per month from his salary. According to applicant this amount is beyond the limits prescribed by Section 60 of the Code of Civil Procedure and hence the recovery is illegal. When there is a direction from a court, second respondent can only carry it out and he cannot modify or vary the order of the court, except at his peril. If the amount sought to be recovered is in excess of the limit prescribed by


.. 2/-

Section 60 of the Code of Civil Procedure, applicant must bring this to the notice of the Family Court which directed recovery and seek remedies from that court.

2 With the aforesaid observations, we dispose of the application. No costs.

Dated the 13th February, 1996.


P V VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

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LIST OF ANNEXURE

1. Annexure A2: True copy of the Order No.105/6/9 dated 20.10.95 issued by the respondents to the applicant.

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