

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.553/94.

Friday, this the 15th day of April, 1994.

C O R A M

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

....

KM Prabhakaran,  
Catering Inspector, Grade II,  
Kerala Express, Batch IV,  
Southern Railway,  
Trivandrum Division,  
Trivandrum.

....Applicant

By Advocate Shri R Krishna Raj.

Vs.

1. Senior Divisional Commercial Manager,  
Southern Railway, Thycaud,  
Trivandrum--14.
2. Divisional Personnel Officer,  
Southern Railway, Thycaud,  
Trivandrum--14.
3. Senior Divisional Accounts Officer,  
Southern Railway, Thycaud,  
Trivandrum.

....Respondents

By Shri PA Mohamed, Addl Central Govt Standing Counsel.

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

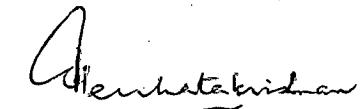
Applicant complains that amounts are being recovered from him on the assumption that the Railways suffered losses due to him. According to him, liability has been fixed on him, without a proper adjudication and without notice to him. We do not think that we are called upon to examine these allegations. We notice that a representation made by applicant regarding the same issue, is pending consideration before second respondent (Annexure A2). Contentions of

contd.

applicant must be considered by the competent authority before a final decision is taken in the matter. Applicant is permitted to make a detailed representation before the first respondent (who is said to be the competent authority by the Standing Counsel for respondents) within one month from today. If such a representation is made, it will be considered on merits with an opportunity to applicant to substantiate his claim and a reasoned order will be passed thereon. Till such time, recovery will not be made on the basis of Annexure A1 or as alleged.

2. Application is disposed of. No costs.

Dated the 15th April, 1994.



PV VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR (J)  
VICE CHAIRMAN