

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.575/2005

Monday this the 24 th day of April 2006.

CORAM:

**HON'BLE MR.N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER
HON'BLE MR. GEORGE PARACKEN, JUDICIAL MEMBER**

1. A.J.Gopinathan,
Sorting Assistant (TBOP),
Head Record Office,
Railway Mail Service (RMS),
Ernakulam Division (EK DN),
Kochi – 16.

2. K.K.Venugopalan,
Mail Man,
Head Record Office,
Railway Mail Service (RMS),
Ernakulam Division (EK DN),
Kochi – 16.

Applicants

(By Advocate Mr.P.Santhosh Kumar)

Vs.

1. Union of India, represented by
the Secretary, Ministry of Communications,
Government of India, New Delhi.

2. The Senior Superintendent,
Railway Mail Service,
Ernakulam Division, Kochi-11.

3. The Head Record Officer,
Railway Mail Service, Ernakulam Division,
Kochi – 16.

4. Sri P.A.Velappan, Sorting Assistant (BCR),
Head Record Office, Kochi-16.

5. The Special Deputy Tahsildar,
Revenue Recovery,
Kerala State Financial Enterprises Ltd.,
Kacherippady, Ernakulam.

6. The Branch Manager,
K.S.F.E., Ltd., Vytila Branch. Respondents

(By Advocate Shri Sunil Jose (R.1-3)

(By Advocate Shri S.P.Chaly (R6)



The Application having been heard on 24.4.2006
the Tribunal on the same day delivered the following

ORDER

HON'BLE MR. N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

This is a matter in which the applicant has come before this Tribunal against the order(A1) passed by the Senior Superintendent, Department of Posts ordering the recovery of certain amounts from the pay and allowances of the applicants. The said recovery had arisen on account of the applicants having stood as sureties in certain transactions with the Kerala State Financial Enterprises (KSFE for short). It appears that there was a prohibitory order which has been referred to in Annexure A-1 where, the such recovery is required to be made. Learned counsel for the said Corporation has made a plea that, this Tribunal has no jurisdiction on such matters, since it is a question of debt between the said Corporation as the creditor on the one hand and the contracting debtors and sureties on the other. We are convinced that this is not a service matter which this Tribunal is empowered to adjudicate and it is purely a matter relating to revenue recovery proceeding initiated against the applicants under the Kerala Revenue Recovery Act as per the agreement entered into by the applicants with the KSFE Ltd.

2. Accordingly, we dismiss the O.A. for want of jurisdiction. No costs.

Dated the 24 th April 2006.


GEORGE PARACKEN
JUDICIAL MEMBER


N.RAMAKRISHNAN
ADMINISTRATIVE MEMBER