

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.NO. 103 OF 2008

Friday, this the 22nd day of February, 2008.

CORAM :

HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER

Balasubramanian.K
Loco Pilot Passenger,
Southern Railway Coonoor
Residing at : 2/217, Samaiyan Nagar
Opposite Canara Bank
LMW Pirivu, Periyanaickan Palayam
Coimbatore : Applicant

(By Advocate Mr. T.A.Rajan)

vs.

1. Union of India represented by General Manager,
Southern Railway, Chennai - 3
2. The Divisional Railway Manager.
Southern Railway, Palghat
3. The Senior Divisional Personnel Officer
Southern Railway, Palghat : Respondents

(By Advocate Ms.P.K.Nandini)

ORDER

HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER

The applicant's grievance in this case is that an amount of Rs.6,643/- has already been recovered from his salary as alleged over payment of over time allowances given to him, without any notice. He has submitted that further recovery will also be made from his salary unless this Tribunal intervenes in the matter.

2. Mr.T.A.Rajan appeared for the counsel for applicant and Mr.Varghese John on behalf of Ms.Nandini appeared for the respondents.



3. It is seen that the applicant has not made any representation against the recovery from his salary. In any case, the recovery without notice is violative of the principles of natural justice. The applicant may, therefore, make a representation to the respondents within a week's time from the date of receipt of a copy of this order and the respondents shall dispose the same by a reasoned and speaking order. Till such time, no further recovery shall be effected from the salary of the applicant on account of the alleged over payment of overtime allowance.

4. OA is disposed of with the above directions. There shall be no order as to costs.

Dated, the 22nd February, 2008.


GEORGE PARACKEN
JUDICIAL MEMBER

vs