

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 188/2009

This the 1st day of May, 2009

Hon'ble Mr. M. Kanthaiah, Member (J)

Changa Lal, Aged about 42 years, S/o Sri Chhotey Lal, R/o Dhobiyan Kabba Tehsil Safipur, District Unnao.

.....Applicant

By Advocate: Sri Anoop Srivastava.

Versus

1. Union of India, through Secretary, Ministry of Posts, Dak Bhawan, New Delhi.
2. The Chief Postmaster General, Lucknow Region, Lucknow.
3. The Superintendent of Postal, Mufassil, Kanpur.

.....Respondents

By Advocate: Sri Atul Dixit for Dr. N. Shukla.

ORDER

Heard both sides.

2. The applicant has filed this O.A. with a prayer to quash the recovery proceedings dated 25.9.2007 (Annexure-4) passed by the respondent no.3 with all consequential benefits stating that against the said order, he filed appeal before the respondent no.3 and the same was allowed with De-novo enquiry vide order dated 30.12.2008/13.1.2009 (Annexure-6) and in spite of such direction for De-novo proceedings, the respondents are continuing in recovering the amount. The applicant's counsel also submits that after the order of respondents vide Annexure-6, the De-novo proceedings have been initiated against the applicant and at this stage he wants the disposal of the O.A. with direction to stay the recovery proceedings vide order dated 25.9.2007 (Annexure-4).

3. When the De-novo proceedings are still pending against the applicant, recovery from the applicant is not at all sustainable and as such the recovery proceedings vide order dated 25.9.2007

(Annexure-4) shall be stayed till the disposal of De-novo proceedings.

4. With this, the O.A. is disposed of finally without any order as to costs.


(M. Kanthaiah)
Member-J

01.05.2009

Girish/-