

Central Administrative Tribunal, Lucknow Bench, Lucknow

ORIGINAL APPLICATION No.295/2009

This the 24th day of July, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)

Ashwani Kumar Dixit, aged about 61 years, son of Late Ran Nath Dixit, resident of R-50, Mohibullapur, Sector-C, Sitapur Road, Lucknow.

.....Applicant

By Advocate: Sri Dharmendra Awasthi.

Versus

1. Union of India, through Director of Accounts (P), Lucknow.
2. Chief Post Master, G.P.O., Lucknow.
3. Accounts Officer (Pen.), Postal Accounts Office, Lucknow.
4. Accounts Officer (G.P.F.), Office of Directorate of Accounts (Postal), Sector-D, Aliganj, Lucknow.

.....Respondents

By Advocate: Dr. Neelam Shukla holding brief of Km. Asha Choudhary.

ORDER (Oral)

By Ms. Sadhna Srivastava, Member-J

The applicant is aggrieved with the impugned order dt. 22.5.009 whereby a recovery of Rs.67,086/- has been ordered against him on the ground that there was over payment of GPF amount.

2. The case is being disposed of at the admission stage itself, reason being that the impugned order has been passed without show cause notice and opportunity of hearing to the applicant. Therefore, prima-facie, the impugned order has been passed against the principle of natural justice. It is of no use lingering the proceedings. The applicant is a retired person. Therefore, whatever is the correct decision, it should be reached without delay. Therefore, I dispose of this petition with a direction to the respondents to serve a show cause notice with detail facts, provide the documents, if any, and further grant him opportunity of personal hearing thereafter, reasoned and

speaking order shall be passed confirming, modifying or setting aside the impugned order. This exercise shall be completed within three weeks from the date of receipt of the copy of this order. The impugned order shall remain stayed till the completion of the above exercise.

3. The OA is disposed of as above. No order as to costs.


(Ms. Sadhna Srivastava)
Member-J

Amit/-