

Central Administrative Tribunal, Lucknow Bench, Lucknow
Original Application No.549/2003

this the 28th day of November, 2003

HON'BEL SHRI S.P. ARYA, MEMBER (A)

1. Ramesh Chand Chaturvedi aged about 38 years son of Sri Keda Nath Chaturvedi resident of Village and Post Dilona, District Barabanki.
2. Anil Kumar Singh aged about 40 years son of Sri Hanuman Singh, resident of village and Post Chauri Aldadpur ,District-Barabanki.
3. Jagjeevan Prasad aged about 41 years son of Sri Dirgpal resident of Village and Post Belpur, District-Barabanki.
4. Keshav Ram aged about 38 years son of Sri Basti Prasad, resident of Village and Post Saifpur, district- Barabanki.
6. Hari Ram Awasthi aged about 46 years son of Sri Ram Lakhan Awasthi, r/o Village and Post Ambapur (Safdarganj), District- Barabanki.
6. Rafi Ahmad aged about 40 years son of Sri Imam Ali r/o village and Post Daroga District Barabanki.
7. Ram Dev aged about 40 years son of Sri Subha Bux resident of Villag and P|ost Asharafpur, District Barabanki.
8. Ram Niwas aged about 48 years son of Sri Bhairo Prasad r/o village and Post Muskabad,district Barabanki.
9. Ramesh Chand aged about 44 years son of Sri Ramdev resident of Village and Post Medua, district Barabanki.

...Applicant

By Advocate:Sri Rakesh Yadav

Versus

1. Union of India through the Secretary, Ministry of Post and Telegraph, Dak Bhawan, New Delhi.

2. Chief Post master General, UP Circle, lucknow.
3. Superintendent of Post offices, Barabanki, dist. Barabanki, U.P.

,...Respondents

By Advocate:

ORDER (ORAL)

BY SHRI S.P. ARYA, MEMBER (A)

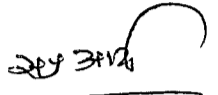
The applicants are working on the post of EDBPM (Extra Departmental branch Post Master) in Barabanki Division under respondent No. 4. They alleged that their pay scales of Rs. 1600-40-2400 has been reduced to Rs. Rs. 1280-35-1980 without passing any order or giving any show cause notice. Recovery of Rs. 500/- per month from the salary of the applicnts per months has also been started. Feeling aggrieved by this order, they have filed this O.A. on the grounds of illegal deduction and arbitraryness.

2. I have heard counsel for the applicant and perused the pleadings on record. I find it expedient to dispose of this O.A. at the admission stage itself as deduction of pay and allowances is not legal without giving any opportunity of hearing the employees from whom the deduction is being made. ~~It~~ ^h In case the employee~~s~~ is being deprived of his valuable right to pay, he should be heard before deduction from salary /allowances start. The applicant have also made representations against such deductions in October on different dates. These representation are pending with respondent No. 4. It is expected that respondent No. 4 would decide these representation in accordance with law and extant rules in the Department.

3. Accordingly respondents No. 4 is directed to decide their representations and pass a reasoned and speaking order thereon under intimation to the applicant within a period of ^{4 weeks} four months from the date

of receipt of copy of this order. The applicant would be at liberty to approach the appropriate forum for redressal of their grievance if they still persist.

4. O.A. is accordingly disposed of without any order as to costs.



Member (A)

Lucknow:Dated: 28.11.2003

HLS/-