

Central Administrative Tribunal, Lucknow Bench, Lucknow

OA No. 187/2005

This, the 20th day of May, 2005

Hon'ble Mr. Shankar Raju, Member (J)

Alok Bajpai s/o late Sri Ramanand Bajpai
Presently working as Senior ticket Collector in
North Eastern Railway at Lucknow Junction,
Lucknow
R/o Bangla Bazar, Jail Road, Near Anupam Dairy,
Lucknow.

...Applicant

(By Advocate: Shri A.R. Masoodi)

-versus-

1. Senior Divisional Commercial Manager,
North Eastern, Lucknow Junction, Lucknow.
2. Divisional Commercial manager,
North Eastern Railway, Lucknow Junction,
Lucknow.
3. Assistant Commercial Manager,
North Eastern Railway,
Lucknow Junction, Lucknow.

...Respondents

(By Advocate: Shri Prashant Kumar for Shri K. Singh)

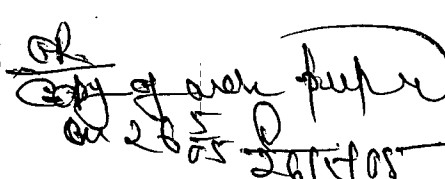
ORDER (ORAL)

Heard the counsel for the parties.

2. Recovery made vide order dated 17.2.2005 on account of loss of EFT, is assailed by the applicant in the present O.A. Admittedly, before effecting the recovery principles of natural justice have not been observed as neither any opportunity to show cause was given nor any proceedings have been drawn up. Recovery is a minor punishment and under the Railway Servants (Discipline & Appeal) Rules, 1968, cannot be inflicted without holding a proper proceedings.

3. In this view of the matter, OA is partly allowed. Impugned order is set aside. Recovery, if any, made shall be refunded to the applicant within a period of two months from the date of receipt of a certified copy of this order. However, it does not preclude the respondents, if so advised, to take appropriate proceedings in accordance with law.


(Shankar Raju)
Member (J)


28/5/05