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CENTRAL ADMINISTRATIVE TRIBUNAL

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Original Application No. 46 of 1990

Kashi Nath Srivastava

Applicant

versus

Union of India & Others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. K. Obayya, A.G., Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

Against the show cause notice dated 10.5.89, the applicant has approached this Tribunal and prayed that the respondents be directed to refund the deducted amount of Rs 7,612/- and to quash the show cause notice contained in Annexure No. 2.

2. The applicant retired from service on 31.1.86 and a sum of Rs 7612.00 was recovered from the D.C.R.G. The applicant filed an application before this Tribunal which was allowed and the respondents were directed to give an opportunity to the applicant and pass suitable order within a period of three months from the date of receipt of the order. Show cause was given to the applicant and the applicant submitted reply, but no orders were passed on his representation. After giving notice under section 80 C.P.C., the applicant has approached this Tribunal. Later on the applicant amended the application which application is being allowed in which he has stated that during the pendency of the application, representation was decided.

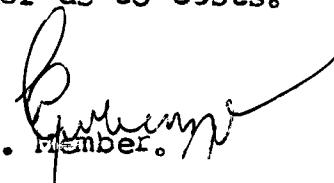
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without making any enquiry into the matter.

3. In the reply the respondents have stated that the recovery was made due to shortage of stationery items.

4. The deduction should not have been made without enquiry and without holding full fledged enquiry the respondents have suddenly deducted the amount from the D.C.R.G. of the applicant. Accordingly, the respondents are directed to hold an enquiry within a period of three months giving him full opportunity of hearing and in case in the enquiry it is found that the applicant was ^{not} responsible, of the shortage, he will be refunded the amount recovered from him and in case he is found responsible of shortage, the amount may be deducted.

5. The application stands disposed of as above. No order as to costs.


Adm. Member.


Vice Chairman.

Shakeel/-

Lucknow: Dated: 31.3.93.