

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NOS.163/2000 & 164/2000.

Monday, this the 24th day of April, 2000.

Coram: Hon'ble Shri Justice Ashok Agarwal, Chairman.

Uttamrao Ramchandra Morey,
7, Anmol Nagar,
Wadibhokar Road,
Deopur, District : Dhule,
Pin: 424 002.

...Applicant in
O.A. No.163/2000.

Smt.Seema Ramchandra Pathak,
Shahanagar,
Plot No.4, Devpur,
District : Dhule.
(By Advocate Mr.B.Dattamoorthy)

...Applicant in
O.A. No.164/2000.

Vs.

1. Union of India through
the Senior Superintendent of Post Offices
Dhule, Postal Division,
Dhule - 424 001.

2. The Postmaster General,
Aurangabad Region, AT PO
Aurangabad.
(By Advocate Mr.V.S.Masurkar)

...Respondents in both
OA Nos.163 & 164/2000.

O R D E R (ORAL)

(Per Shri Justice Ashok Agarwal, Chairman)

By the impugned order at Annexure - 'A', certain amount is sought to be recovered from the applicants. The aforesaid order undisputedly has been issued without issuing a show cause notice and without affording the applicants an opportunity of being heard. The said orders, in the circumstances are liable to be quashed and set aside as they smack of violation of the principles of natural justice. I order accordingly. It follows

that ^{the} amount which has already been recovered in pursuance of the aforesaid order will now be refunded to the applicants. It goes without saying that it will be open to the respondents, if they are so advised to issue a show cause notice affording the applicants a reasonable opportunity of being heard and thereafter proceed to pass appropriate orders in accordance with law. Present OAs are allowed in the aforestated terms, with no order as to costs.

(ASHOK AGARWAL)
CHAIRMAN

B.