

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No.607/2001.

Dated This Thursday the 30th August, 2001.

Coram : Hon'ble Shri Justice Birendra Dikshit, Vice Chairman  
Hon'ble Shri G.C. Srivastava, Member (A).

*Completed  
in the  
order dated  
25.10.2001  
A.O. No. 107*  
*Sardeshmukh*  
Smt. Sulabha D. Deshmukh,  
Working as BCR Postal Assistant  
Kalyan City H.O., Residing at  
Brahman Society Sahakar Bhawan,  
Opp. Ravikiran Hospital, Murbad Road,  
at P.O. Kalyan Dist. Thane-421301.

.. Applicant.

Applicant by Shri S.P. Kulkarni, Advocate.

Vs.

1. Union of India, through  
Sr. Supdt. of Post Offices,  
Thane R.S.P.O. Building, Near  
Thane Railway Station, C.Rly.,  
At P.O. Thane 400 601.
2. The Director (Establishment)  
Office of Director General (Posts),  
Department of Post, Ministry of  
Communications, Govt. of India,  
Dak Bhavan, Parliament Street,  
P.O. New Delhi -110 001.
3. Chief Postmaster General,  
Maharashtra Circle,  
Old GPO Bldg., 2nd Floor,  
Near CST, C.Rly, Fort,  
Mumbai - 400 001.
4. The Director,  
Mumbai GPO, GPO Bldg.,  
Near CST, Mumbai 400001.  
At P.O. Mumbai 400 001.

.. Respondents.

O R D E R (Oral)  
[ Per : Shri G.C. Srivastava, Member (A) ]

In this O.A. the applicant is aggrieved against the  
recovery from his pay from July, 2001 on account of modification  
of the order of the Respondents passed on 29.8.1997, whereby such

...2..

benefit was allowed only when such junior was in the lower scale (than that of senior) and on the date of his eligibility he was drawing such lower scale. The applicant has submitted his representation to the Respondents on 17.8.2001. However, no reply has been received and the recovery has been started from July, 2001. We have considered the O.A. and hold that the O.A. can be disposed of at the stage of admission itself without issuing notice by directing the respondents to consider the representation dated 17.8.2001 on merits and pass appropriate speaking order within a period of 3 months from the date of receipt of copy of this order. We also hereby order that recovery started from July, 2001 from the salary of the applicant shall stand stayed till the representation is decided.

2. O.A. stands disposed of with the above observations.

*G.C. Srivastava*  
( G.C. Srivastava )  
Member (A)

*B. Dikshit*  
( Birendra Dikshit )  
Vice Chairman.

H.