

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO:116/2001

DATE OF DECISION: 9.8.2001

Shri Chandrakant Shyamrao Thombre Applicant.

Shri J.N. Tanpure Advocate for  
Applicant.

Verses

1) Union of India and others Respondents.

Shri Suresh Kukar Advocate for  
Respondents


CORAM

Hon'ble Smt. Shanta Shastry, Member (A)

(1) To be referred to the Reporter or not?

(2) Whether it needs to be circulated to  
other Benches of the Tribunal?

(3) Library. ✓

  
(Shanta Shastry)  
Member(A)

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CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI

ORIGINAL APPLCATION NO: 116/2001

THURSDAY the 9th day of AUGUST 2001

CORAM: Hon'ble Smt. Shanta Shastry, Member(A)

Chandrakant Shyamrao Thombre  
Residing at Ekvira Nagar,  
At & Post Vadgaon, Tal. Maval  
Dist. Pune.

...Applicant

By Advocate Shri J.N. Tanpure

V/s

1. Union of India through  
The General Manager,  
Central Railway, CST.  
Mumbai.

2. The Divisional Traffic Manager  
Central Railway, Pune.

...Respondents

By Advocate Shri Suresh Kumar.

ORDER (ORAL)

{Per Smt. Shanta Shastry, Member(A)}

In this case the respondents have raised debit of Rs.55,589/- and the applicant was asked to pay a minimum of Rs.10,000/- towards recovery of debit immediately vide order dated 10.2.2001. The applicant thereafter made a representation requesting to withhold the recovery through his pay sheet. The explanation given by the applicant was not accepted by the respondents vide letter dated 23.10.2000. It was stated therein that the debit was raised correctly against him by the CBS Pune vide letter dated 26.9.2000. Therefore the applicant was informed that it was decided to recover the aforesaid amount from his monthly salary in suitable instalments of Rs. 2000/- from ensuing month. The applicant made further representation on

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15.11.2000 saying that he needed the details of the recovery and he cannot admit the debit. He does not agree with the recovery. He therefore sought the details and approached this Tribunal on 5.2.2001. Interim relief was granted to the applicant vide order dated 15.2.1001 and the same has been continued.

2. The contention of the learned counsel for the applicant is that the respondents have not followed proper procedure of Discipline and Appeal Rules by issuing a show cause notice. Charge sheet has been issued in another case for recovery of an amount of Rs. 3000/- in respect of the applicant but not in this where recovery is of a larger amount. The learned counsel for the applicant further submitted that though the details have been provided he is unable to understand these figures.

3. The learned counsel for the respondents states that initially when recovery was ordered the applicant allowed the recovery to be made for three months. He has now raised the point regarding details. When there is shortage in the amount the same are put up on the Notice Board and accordingly the concerned employees make good the short fall. The learned counsel for the respondent submits that if any direction is given to respondents to follow the procedure under the Discipline and Appeal Rules the same would be done.

4. I have heard the learned counsel for the parties and find that the applicant has not made a proper representation except to say that the recovery ordered is not acceptable to him. Now that the details of the amount to be recovered have been made available to him, the applicant is directed to make a proper representation to the respondents as to how the recovery is not acceptable to him, within a fortnight from the date of receipt of a copy of this order. Thereafter the respondents shall decide the same within one month by a speaking order. Till then no recovery shall be made. The OA is disposed of accordingly.

*Smt. Shanta Shastri*

(Smt. Shanta Shastri)  
Member(A)

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