

DATED THIS THE SEVENTEENTH DAY OF MARCH, 1987

Hon'ble Shri P.Srinivasan Member(A )

A. Jayaram,  
Chief Catering Inspector,  
Karnataka Express,  
Southern Railway,  
Bangalore.

...

... Advocate )

1. The General Manager,  
Southern Railway,  
Park Town, Madras.

2. The Chief Commercial Superintendent,  
Southern Railway,  
Park Town, Madras.

3. The Divisional Railway Manager,  
Southern Railway,  
Bangalore Division,  
Bangalore

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( Shri M.Sreerangaiah

... Advocate )

Hon'ble Shri Ch.Ramakrishna Rao, Member(J) made the following :

The grievance of the applicant in this Application is against the order dated 10.10.1985 at Annexure-C, by which the Divisional Commercial Superintendent, Southern Railway, Bangalore, (DCS), directed recovery of a sum of Rs.21,091/- from the applicant in monthly instalments.

2. The applicant is working as Chief Catering Inspector in the Southern Railway at Bangalore; and the aforesaid amount was

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determined as the value of certain shortages which were discovered when the applicant handed over charge on 17.11.1981 of the post of manager, Catering Section of the Bangalore Division.

3. After the matter was heard for some time, Shri M.Sri-rangaiah, learned Counsel for the respondents, informed us that the Railway Administration had considered the matter afresh and had revised the amount due from the applicant on account of the shortages to a sum of Rs.1156.38p. instead of Rs.21,091/- as mentioned in Annexure-C, and that the applicant had agreed to the same being recovered from him. Shri M.Narayanaswamy, learned Counsel for the applicant, confirms this.

4. Shri M.Narayanaswamy, informs us that the recoveries had already been made from the applicant in respect of the original determination of Rs.21,091/- and that the total amount of such recovery exceeds the amount now determined by the Railway Administration. He, therefore pleaded that the respondents may be directed to refund the excess amount so recovered from the applicant.

5. Having heard both the Counsel, we dismiss this application as having become superfluous and direct the respondents to refund to the applicant any amount already recovered from him in excess of the amount finally determined as due from him i.e., Rs.1156.38.

6. Parties to bear their own costs.

  
MEMBER(J)

  
MEMBER(A)(S) 17/3/87

AN.