

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, CAMP AT NAGPUR.

Original Application No.1278/92.

Shri D.J.Niley. Applicant.

V/s.

Union of India & Ors.8 Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman,

Appearances:-

Applicant present in person.
Respondents by Shri Darda.

Oral Judgment:-

¶Per Shri M.S.Deshpande, Vice-Chairman Dt. 30.7.1993

Heard the applicant in person and
Shri Ramesh Darda for the Respondents.

2. The recovery which is being effected from
the pension account is on the basis of the letter sent
by the C.P.W.D. from the Pension Account of the appli-
cant with the State Bank of India. From the decision
of this ¶ Tribunal in M.R.S.Raghavan v/s. GOI I(1)
1991 CSJ CAT 84) it is clear that the recovery
cannot be made from the Pension relief of the applicant.

3. The application is allowed and the
Respondents are restrained from making any recovery
from the Pension Account of the applicant. The
Respondents will be free to make the recoveries
from any other assets which the applicant may be in
possession of. The State Bank of India, Nagpur Branch
be informed to abstain from making further recovery
in view of this order. The O.A. is disposed of.


(M.S.DESHPANDE)
VICE-CHAIRMAN

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Dated: 8/11/93.

Shri R.P. Darda for the Respondents states that he ~~will~~ would take instructions and he will make a statement.

S.O. to 10/11/93.

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(M.S. Deshpande)
V/C.

Dated: 10-11-93. Camp at Dargan.

Mr. Ranesh Darda, Counsel for the Respondents.

It appears that the applicant had died before the order was passed on 30-7-1993. The order was however in favour of the deceased applicant and Shri Darda, counsel for Respondent states that though the order may amount to nullify the Respondents would not make any recovery from the revision account of the applicant, which would ^{now} ~~have~~ be payable to the legal representatives and they would have liberty to effect recovery from any other assets.

The applicants' legal representatives are not present today. In view of the statement made by Shri Darda it is not necessary to pass any order.

Order/Judgement despatched
to Applicant/Respondent(s)
on 10/11/93

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(M.S. DESHPANDE)
VICE CHAIRMAN.