

DRAFT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 981/97

Date of Decision: 22.1.98

Shri Ganpat Sadashiv Doke

Applicant.

Shri B. Dattamurthy

Advocate for
Applicant.

Versus

Union of India and others.

Respondent(s)

Shri S.S.Karkera for
Shri P.M.Pradhan.

Advocate for
Respondent(s)

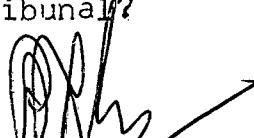
CORAM:

Hon'ble Shri. P.P. Srivastava, Member (A)

Hon'ble Shri.

(1) To be referred to the Reporter or not? No

(2) Whether it needs to be circulated to
other Benches of the Tribunal? No


(P.P. Srivastava)
Member (A)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH 'GULESTAN' BUILDING NO:6
PRESCOT ROAD, MUMBAI:1

Original Application No. 981/97

Thursday the 22nd day of January 1998.

CORAM: Hon'ble Shri P.P. Srivastava, Member (A)

Ganapat Sadashiv Doke
Residing at
Bhujbal Sadan,
Shivaji Nagar,
Shahaji Raje Marg.
Vile Parle East,
Mumbai.

... Applicant.

By Advocate Shri B Dattamurthy

V/s.

Union of India through
Senior Superintendent
of Post Offices,
Mumbai City North Division
Azad Nagar Post Office
Building Mumbai.

Senior Superintendent of Post
Offices, Mumbai City North-West
Division, Borivli
Mumbai.

Accounts Officer
Internal Check Organisation (SB)
Chinchbunder HPO, Building
Mumbai.

The Postmaster General
Mumbai Region, OLD GPO Bldg.
2nd flm, Near CST
Mumbai.

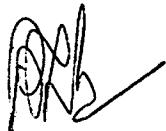
... Respondents

By Advocate Shri S.S. Karkera for Shri P.M. Pradhan.

O R D E R (ORAL)

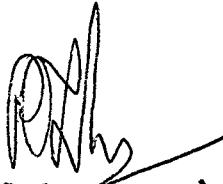
{ Per Shri P.P. Srivastava, Member (A) }

The only point on the basis of which the O.A. is being decided is that the order dated 10.10.97 (Annexure A 1) for recovery has been passed without giving any notice to the applicant. The order does not give the reasons as to why the recovery is made. In the circumstances, the order dated 10.10.97 cannot be sustained. Before the recovery is made, it is necessary that the applicant be given reasonable time.



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2. The order dated 10.10.97 is hereby quashed and the respondents are given liberty to give the applicant the details of recovery and Rules under which the recovery is made and obtain the explanation and pass a speaking order. Needless to mention that if the applicant is aggrieved he can approach this Tribunal. The O.A. is disposed of accordingly.



(P.P. Srivastava)
Member (A)

NS