

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR

NO TA 2073/86
(CAR 5/84)

Date of Decision: 14.9.92

KANHAIYA LAL : Applicant
Mr. J.K. Kaushik : COUNSEL FOR THE A-PPLICANT.

V E R S U S

UNION OF INDIA & ORS : Respondents.
Mr. R.N.Soral : Counsel for the respondents.

CORAM :

Hon'ble Mr. Justice D.L.Mehta, Vice Chairman.

Hon'ble Mr. B.B. Mahajan, Administrative Member.

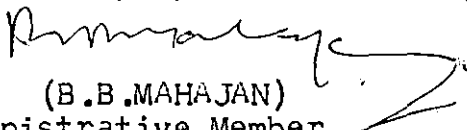
HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN :


Plaintiff/Applicant preferred an appeal before the learned District Judge, Kota being aggrieved with the judgment and decree passed by the learned Munsif and Judicial Magistrate, Kota dated 27.3.84. The appeal has been transferred to this Tribunal under Section 19 of A.Ts Act, and has been registered as T.A.

2. The ~~app~~ plaintiff was welder and proceedings was initiated against him for theft of 35 metres wire through his negligence; In the proceedings, directions were given on 21.3.77 that he should pay the cost of the wire amounting to Rs. 668-35 paise. Being aggrieved with the order of recovery of the cost of the stolen wire, he filed a suit in the Court of the learned Munsif and Judicial Magistrate, Kota. The learned Munsif and Judicial Magistrate framed four issues. Issue No.1 was whether the respondents/defendants are recovering amounts from him illegally, malafidely

and without cause. Learned Munsif found that the allegations made by the plaintiff are totally baseless and after due enquiry, the orders for the recovery of the cost has been passed. We have also gone through the documents produced by the parties and evidence recorded. We are satisfied that there is no illegality or any error in the judgment and the decree passed by the learned Munsif. Accordingly, we dismiss the T.A.

No orders as to costs.


(B.B. MAHAJAN)
Administrative Member


(D.L. MEHTA)
Vice Chairman

Shashi/