

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

R.P.No.71/93

in

O.A. 421/92

Date of order: 27/8/ 1993

Between

Ch. Narayanacharyulu

.. Applicant

and

1. Jt.Secretary, Min. of Defence, New Delhi-11
2. Chief of Naval Staff, HQ PO New Delhi-11.
3. Director of Civ. Personnel HQ PO New Delhi-11.
4. Flag Officer Commanding-in-Chief, HQ ENC Vizag-14
5. Chief Staff Officer, HQ ENC Visakhapatnam-14
6. Captain R. Subbaiah, Cd.per & Per ENC, Vizag
7. TVK Rao, SO(Civ) HQ ENC, Vizag-14
8. TS Pawar, SO(CIV) HQ ENC, Vizag
9. Gopala Krishna, SBI, Maharanipeta, Vizag-2
10. BM, SBI, Maharanipeta, Vizag-2
11. Regional Manager, Region No.1, Vizag-20
12. The CDA(Pensions) Allahabad
13. The AAO, CDA(Navy), Visakhapatnam-6

Counsel for the Applicant :: Party-in-Person

Counsel for the respondents :: Mr NR Devraj

CORAM

HON'BLE SHRI A.B. GORTHI, MEMBER (ADMN)

HON'BLE SHRI T. CHANDRASHEKHARA REDDY, MEMBER (JUDL.)

ORDER OF THE DIVISION BENCH DELIVERED BY HON'BLE
SHRI T. CHANDRASEKHARA REDDY, MEMBER (JUDL.) BY CIRCULATION

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This Review application is filed under Rule 17
of the Central Administrative Tribunal (Procedures) Rules
1987 to review our judgement dated 10.6.93 passed in
OA 421/92. After going through the grounds raised in

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Copy to:-

1. Joint Secretary, Ministry of Defence, New Delhi-11.
2. Chief of Naval Staff, DHQ PO, New Delhi-11.
3. Director of Civ. Personnel HQ PO, New Delhi-11.
4. Flag Officer Commanding-in-Chief, HQ ENC Vizag-14.
5. Chief Staff Officer, HQ ENC Visakhapatnam-14.
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- 14.
15. Regional Manager, Region No.1, Vizag-20.
16. The CDA (Pensions) Allahabad.
17. The AAO, CDA(Navy), Visakhapatnam-6.
18. One copy to Sri. Ch. Narayananacharyulu, ~~and~~ (Party-in-person), E/1 Pallava park, Kancharapalem, p.e. Visakhapatnam-4.
19. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
20. One copy to Library, CAT, Hyd.
21. One spare copy.

Rsm/-

and

(B)

this Review Application, we proceed to decide this Review application by circulation ~~exx~~ as per Rule 17(iii) of CAT Procedures Rules, 1987. . .

2. OA 421/92 was filed by the applicant for a direction to the respondents to refund the sum of Rs. Rs. 14327-10ps together with interest, which was recovered by the respondents towards dues from the applicant ~~and~~ to the Government and pass such other orders as may deem fit and proper in the circumstances of the case. The said OA was dismissed as per orders of our judgement dated 10.6.93.

3. In this Review application it is contended that relief on pension is also a part of pension and no recovery of government dues can be made. But, in our Judgement, we had held that the applicant is liable to refund the said amount of Rs. 16,082-10ps and that the action of the respondents in withholding the said amount from the commuted value of pension is valid. We see no error apparent on the face of the record and hence this RP is liable to be dismissed and is accordingly dismissed leaving the parties to bear their own costs.

T. Chandrasekara Reddy
(T. CHANDRASEKHARA REDDY)
Member (Judl.)

A. B. Gorthi
(A. B. GORTHI)
Member (Admn)

Dated: 27 Aug, 1993

mvl

D. R. Regiswamy (S)
D. R. Regiswamy (S)

contd--- 3/-