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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.421/92

DATE OF JUDGEMENT: 10th June 1993

Between

Ch.Narayanacharylu

.. Applicant

and

1. Joint Secretary
Ministry of Defence DHQ PO
South Block New Delhi-11.
2. The Chief of the Naval Staff,
Naval HQrs South Block
DHQ PO New Delhi-11.
3. The Director of Civilian Personnel
Naval HQrs ~~xxxxxx~~
Sena Bhavan 'D'Block New Delhi
4. The Flag Officer
Commanding-in-Chief
Eastern Naval Command Naval Base
Visakhapatnam
5. The Chief Staff Officer(P&A)
Eastern Naval Command
Naval Base,Visakhapatnam
6. Captain R. Subbaiah
Command, Pers.& Admn
Eastern Naval Command,Naval Base
Visakhapatnam
7. Sri TVK Rao, CGO
Staff Officer(Civilians)
Eastern Naval Command, Naval Base,
Visakhapatnam
8. Mr T.S.Pawar,CGO
Staff Officer (Civ)(Pay)
Eastern Naval Command, Naval Base
Visakhapatnam-530014
9. Mr Gopala Krishna
Manager(Pensions)
State Bank of India
Maharanipeta,Visakhapatnam-2
- 10.The Branch Manager
State Bank of India, Maharanipeta,
Visakhapatnam-2.
11. The Regl.Manager,Regn.No.1
State Bank of India, RTC Complex
Visakhapatnam-020.
12. The CDA(Pensions),Allahabad,UP
13. The Area Accounts Officer,CDA(Navy)
NAD PO Visakahapatnam-6

..Respondents

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Counsel for the Applicant :: Party-in-Person
Counsel for the Respondents :: Mr NR Devraj, Sr. CGSC

CORAM:

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

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

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

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to refund the sum of Rs.14327-10ps together with interest at the rate of 10% pm, recovered by the respondents towards dues from the applicant to the Government and pass such other orders as may deem fit and proper in the circumstances of the case.

2. Counter is filed by the respondents opposing this OA. ~~Wg~~

3. We have heard Party-in-Person and Mr NR Devraj, Standing counsel for the respondents in detail.

4. In the counter filed by the respondents, it is maintained that an amount of Rs.16,082-10ps towards House Building Advance/LTC Advance/Festival Advance and rent and allied charges from 7/90 to 8/91 is outstanding, and the same was to be with-held from the commuted value of pension as per original Pension Payment order issued by the CDA(Pensions), Allahabad. It is the case of the respondents that the same is recovered out of the pension relief payable to the applicant, as the same is due from the individual to Government and the same is in line with Rule 73 of CCS Pension Rules, 1972.

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5. The fact that the applicant was due Rs.16,082-10ps towards various advances and rent is not dispute in this OA. The applicant is liable to refund the amount due by him. In view of this position, we see no merits in this OA and hence, this OA is dismissed leaving the parties to bear their own costs

(A.B. GORTI)
Member (Admn)

(T.CHANDRASEKHARA REDDY)
Member (Judl.)

Deputy Registrar (Judl.)

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Dated: 18-6-1993

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Copy to:-

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1. Joint Secretary, Ministry of Defence, DHQ PO, South Block, New Delhi-11.
2. The Chief of the Naval Staff, Naval Hqrs South Block, DHQ PO, New Delhi-11.
3. The Director of Civilian Personnel Naval Hqrs, Sena Bhavan, 'D' Block, New Delhi.
4. The Flag Officer, Commanding-in-Chief, Eastern Naval Command Naval Base, Visakhapatnam.
5. The Chief Staff Officer(P&A), Eastern Naval Command Naval Base, Visakhapatnam.
6. One copy to Sri.Ch. Narayanacharylu, (Party-in-person), E/1 Pallava park, Kancharapalem, PO, Visakhapatnam-008.
7. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
8. One spare copy.

Rsm/-

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