

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION-NO.334-of-1993

DATE-OF-ORDER:-20th-JANUARY,-1997

BETWEEN:

P.VENKATA RAO

.. APPLICANT

AND

1. The Sr.Divisional Commercial Superintendent,
South Central Railway,
Vijayawada,
2. The Chief Commercial Superintendent,
S.C.Railway, Secunderabad,
3. The General Manager,
S.C.Railway,
Secunderabad,
4. The Financial Adviser & Chief Accounts Officer,
S.C.Railway,
Secunderabad.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.G.V.SUBBA RAO

COUNSEL FOR THE RESPONDENTS: Mr. C.V.Mallareddy, Adl.CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

JUDGEMENT

ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Shri G.V.Subba Rao, learned counsel for the applicant and Shri C.Venkata Malla Reddy, learned standing counsel for the respondents.

Respondent retired as Head Travelling Ticket Examiner on 30.9.88 on superannuation. At the time of his retirement, an amount of Rs.2276/- was withheld allegedly

on the basis of the Error Sheet issued by R-4 vide Advice No.978/4/CL/EFT/BZA/87/4/20 dated 11.6.87. The applicant submitted representation to R-1 to pay him back the withheld amount as there is no record to show that the coupons which were lost fraudulantly ^{were} made use of by others. But R-1 rejected his claim. Thereafter he filed representation to R-2 who also rejected his claim vide letter No.C.513/1238/90/7 dated 12.6.90 (Page 10 of the OA) as it was held by him that it does not come under the purview of his office and directed the applicant to contact R-4. The applicant made representation to R-4 on 12.12.90 seeking refund of the amount withheld. R-4 vide his letter dt.18/30.1.91 at page 11 of the OA advised R-1 to initiate action for writing off the amount in question. R-1 rejected the claim of the applicant for the said amount by his letter dated 15.7.91 (at page 7 of the OA). Aggrieved by the above, he filed a review petition dated 12.10.91 (Page 12 of the OA). It is stated that this review petition dated 12.10.91 is still to be disposed of by R-3.

3. This OA is filed for quashing the impugned order No.B/C.419/II/AD/BZA/WBO/Refund Claim dated 15.7.91 (Page 7 of the OA) by holding it arbitrary and for consequential direction to the respondents to refund the amount of Rs.2276/- recovered from his settlement/salary dues.

4. A Counter has been filed. It is stated that only an amount of Rs.455-00 ^{final settlement} ~~has been~~ ^{now view} and rest of the amount ~~is to be~~ recovered from the ^{his salary} ~~settlement dues~~. The reply does not indicate in regard to

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the disposal of his representation dated 12.10.91 to R-3. It is stated that R-3 has not received that representation dated 12.10.91.

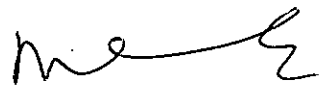
5. In view of the fact that his representation dated 12.10.91 is pending with R-3 it is justifiable to give direction to R-3 to dispose of his representation dated 12.10.91 in accordance with law after perusing the records in this connection.

6. In the result, R-3 is directed to dispose of the representation dated 12.10.91 of the applicant in accordance with law after perusing the case in detail.

7. (Registry to enclose a copy of the representation dated 12.10.91 (at page 12 of the order) along with judgement to R-3).

costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)
20-1-97


(R. RANGARAJAN)
MEMBER (ADMN.)

DATED: - 20th - January, - 1997
Dictated in the Open Court.

vsn


Dy. Registrar (3)

9/1/97
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
M(J)

DATED: 20/1/97

~~Order/Judgement~~
~~R.P/C.P/M.A.NO.~~

B.A.NO.

in.
20/1/97
734/93

ADMITTED AND INTERIM DIRECTIONS ISSUED
~~RECEIVED~~

~~DISPOSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~DISMISSED FOR DEFAULT~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS.~~

II COURT

YLKR

*af/cor 2 representation of
at page 12 of OA to R3.*

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal भेजा/DESPATCH 31 JAN 1997 हैदराबाद ब्याच HYDERABAD BENCH
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