

J.C.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.

O.A.NO. 824 of 1995.

Between

Dated: 25.9.1995.

K.Appa Rao.

...

Applicant

And

1. The Superintendent of Post Offices, Ankapally Division, Ankapally.
2. The Director of Accounts (Postal), A.P.Circle, O/O Dak Sadan, Abids, Hyderabad.

...

Respondents

Counsel for the Applicant : Sri. Krishna Devan

Counsel for the Respondents : Sri. K.Bhaskara Rao, Addl. CGS

CORAM:

Hon'ble Mr. A.B.Gerthik Administrative Member

Contd:....2/-

Copy to:-

1. The Superintendent of Post Offices, Ankapally Division, Ankapally.
2. The Director of Accounts, (Postal), A.P.Circle, O/O Dak Sadan, Abids, Hyderabad.
3. One copy to Sri. Krishna Devan, advocate, CAT, Hyd.
4. One copy to Sri. K. Bhaskara Rao, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

RSM/-

As per Hon'ble Shri A.B.Gorthi, Member (Admn.)

The applicant is working as E.D.B.P.M.,
Gopalapuram, ^{P.O} Anakapally Head Post Office w.e.f. 27.4.69.

Admittedly the duties of EDBPM are part-time in nature.

The applicant was also working as a Teacher and retired on 30.11.88. He is however continuing as EDBPM. The respondents vide memo dated 30.9.93 addressed to the applicant proposed recovery of sum of Rs.8,716/- towards alleged excess DA paid to him from 1.12.88 to 31.3.93.

2. Admittedly no prior notice has been given by the respondents before passing the order dated 30.9.93. In this case, the respondents by straightaway ordering recovery of Rs.8,716/- vide the impugned memo dated 30.9.93 have clearly violated the basic principle of natural justice viz., audi-alteram partem. Accordingly the impugned order is liable to be set aside and hence it is set aside.

3. It is needless to add that the respondents are at liberty to issue a notice to the applicant and then consider his reply to the said notice before taking appropriate decision in the matter. The OA is ordered accordingly. No costs.

Amansingh
(A.B.GORTHI)

Member (Admn.)

Dated: 25th September, 1995

(Dictated in Open Court)

sd

*Amansingh
Gorthi
One*

DA 824/95
TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

HON'BLE MR. A. B. GORTHI, ADMINISTRATIVE MEMBER.

HON'BLE MR.

JUDICIAL MEMBER.

ORDER/JUDGEMENT:

DATED: 25/9/1995.

M.A./R.A./C.A. NO.

IN 824/95
O.A. NO.

T.A. NO. (W.P. NO.)

ADMITTED AND INTERIM DIRECTIONS ISSUED.

ALLOWED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

DISMISSED FOR DEFAULT.

ORDERED/REJECTED.

NO ORDER AS TO COSTS.

* * *

Rsm/-

No Space COPY

Central Administrative Tribunal
DESPATCH

13 OCT 1995 NSP

HYDERABAD BENCH.

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