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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1267 /96.

Dt. of Decision : 11-06-97.

Butti Narasimhulu

.. Applicant.

Vs

1. The Postmaster General,
Hyderabad Region, Hyderabad.

2. The Superintendent of Post Offices,
Hanamkonda Postal Division,
Hanamkonda-506 001.

.. Respondents.

Counsel for the applicant : Mr. S. Ramakrishna Rao

Counsel for the respondents : Mr. N. R. Devaraj, Sr. CGSC.

CORAM:-

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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ORDER

None for the applicant. Heard Mr. N. R. Devaraj, learned counsel for the respondents.

2. Though this OA was not listed today ~~but~~ the learned counsel for the respondents submitted that the prayer in this OA is similar to the prayer in OA.1268/96 and 1269/96 which were disposed of today. Though the applicant is not present the OA may be disposed of as same relief as in OA.1268/96 and 1269/96 ^{being} is being ~~granted~~ in this OA also. The learned counsel for the respondents submitted that as the counsel in this OA is also same the OA may be disposed of without waiting for further hearing. In view of the above submission of the respondents counsel, I feel that the OA may be disposed of on similar lines as was done in the cases of OA.1268/96 and 1269/96.

3. The applicant in this OA is working as EDMC, Taddeer, a/w, Marimuchal, Cherial Mandal in Hanamkonda Postal Division. ^{Introduction} Due to instruction of the cycle beat allowance the allowance which was earlier in existence on the basis of the foot beat was revised downwardly. Due to the downward reduction of the basic allowance the recovery of the excess amount was sought to be recovered from him by order No. A.209 dated 17-2-95 (Annexure-I). As per the impugned order the excess amount was sought to be recovered from the date of appointment w.e.f., 19-07-90.

4. This OA is filed to set aside the impugned order No. A.209 dated 17-2-95 (Annexure-I) issued by the Superintendent of Post Offices, Hanamkonda Postal Division, Hanamkonda by ordering revision of allowances downward and recovery of excess paid with effect from 19-07-90 by declaring it ^{is} arbitrary, unwarranted, illegal and frivolous and violative of Article 14 and 16 of the Constitution and with all consequential benefits.

5. An interim order was passed in this OA dated 4-11-96 suspending the impugned order dated 17-2-95.

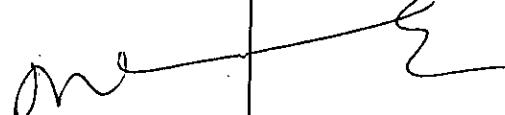
6. The applicant in this OA submits that the applicant is similarly placed as applicant in OA.835/96 and thereby meaning that the relief as granted to the applicant in OA.835/96 may be granted to him also.

7. The learned counsel for the respondents submit that this OA is covered by the judgement of this Tribunal in OA.835/96 and hence similar order may be passed in this OA also.

8. In view of the above submission, the following direction is given:-

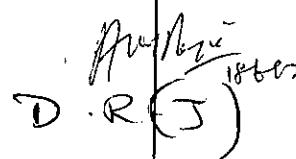
The revised allowance for the applicant shall take effect from the issue of the impugned order by the Superintendent of Post Offices, Hanamkonda. The amount if any recovered retrospectively before the issue of the impugned order dated 17-2-95, the same shall be paid back to the applicant within three months from the date of receipt of a copy of this order.

9. The OA is ordered accordingly. No costs.



(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 11th June 1997.
(Dictated in the Open Court)


D.R.J.

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Copy to:

1. The Post Master General, & Hyderabad Region, Hyderabad.
2. The Superintendent of Post Offices, Hanamkonda, Postal Division, Hanamkonda.
3. One copy to Mr.S.Ramakrishna Rao, Advocate,CAT,Hyderabad.
4. One copy to Mr.N.R.Devraj, Sr.CGSC,CAT,Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One duplicate copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATED:

11/6/87

ORDER/JUDGEMENT

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

in
O.A. NO. 1267/96

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

