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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO. 1280 OF 1996

DATE OF ORDER: 4th JULY, 1997

BETWEEN:

M. SANTOSH KUMAR

.. APPLICANT

AND

1. The Chief Commissioner of Income Tax,
Andhra Pradesh, Hyderabad,

2. The Sr. Authorised Representative,
Income Tax Appellate Tribunal,
Shapurwadi, Hyderabad.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr. K. SUDHAKAR REDDY

COUNSEL FOR THE RESPONDENTS: Mr. V. RAJESWAR RAO, Addl. CGSC

CORAM:

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

ORDER

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

Heard Mr. K. Sudhakar Reddy, learned counsel for the applicant and Mr. V. Rajeswara Rao, learned standing counsel for the respondents.

2. This OA is filed to set aside the Office Order dated 8.2.96 whereby the applicant was directed to pay back the excess amount of subsistence allowance already drawn and paid to him for the period from 5.11.91 to 17.5.94 amounting to Rs. 16,163/- within a period of 15 days from the date of receipt of that impugned order and the Memo



No. Con.CCS/107/2011 dated 3.10.96 (Annexure-IV at page 11 to the OA) whereby the representation of the applicant dated 20.2.96 was disposed of for recovery of the excess payment in instalments by holding them as arbitrary, illegal and void ab-initio.

3. An interim stay was granted in this OA on 1.10.96 for recovery.

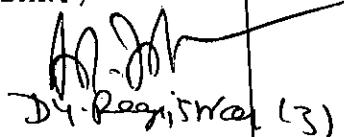
4. When this OA was taken up for hearing, the learned counsel for the applicant submitted that he will submit a suitable representation to the concerned and ask for the relief through the departmental authorities.

5. In view of the above submission of the learned counsel for the applicant, the OA is disposed of with no orders permitting the applicant to approach the Departmental authorities.

6. No order as to costs.



(R.RANGARAJAN)
MEMBER (ADMN.)



D. Rajeswari (3)

DATED:- 4th July, 1997
Dictated in the open court.

vsn

Copy to:-

1. The Chief Commissioner of Income Tax, A.P. Hyd.
2. The Sr. Authorised Representative Income Tax Appellate Tribunal, Shapurwadi, Hyd.
3. One copy to Sri. K.S. Reddy, advocate, CAT, Hyd.
4. One copy to Sri. V. Rajeswar Rao, Addl. ^{GS}, CAT, Hyd.
5. One copy to Deputy Registrar(A), ^{AT}, Hyd.
6. One spare copy.

Rsm/-

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42570 THE TRIBUNAL

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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

4/7/97

ORDER/JUDGEMENT

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

in

D.A. NO.

128691

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.

केन्द्रीय प्रशासनिक व्यविधिकरण
Central Administrative Tribunal
प्रेषण/DESPATCH

16 JUL 1997

HYDERABAD BENCH