

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A.No.1508/96

Date: 31.12.96

(3)

Between:

K.Giddaiah .. Applicant

and

1. Union of India rep. by
Director General of Postal Services,
Department of Posts,
New Delhi.
2. Post Master General,
Kurnool Region, Kurnool.
3. Superintendent of Post Offices,
Kurnool Division, Kurnool.
4. Post Master,
Adoni Head Post Office,
Kurnool District. .. Respondents

Mr. B.S.A. Satyanarayana .. Counsel for applicant

Mr. K.Bhaskar Rao, Addl.CGSC .. Counsel for respondents

CORAM

HON'BLE SHRI JUSTICE M.G. CHAUDHARI, VICE CHAIRMAN

O R D E R

Mr. B.S.A. Satyanarayana for the applicant and
Mr. K.Bhaskar Rao for the respondents.

Admit. Notice for the respondents waived. By consent
taken up for final hearing.

2. The matter is identical with O.A. 1506/96 disposed of
separately today. In the instant case the applicant was drawn
under Mahila Samaridhi Yojana
to work as Sub Post Master at Kadivella S.O. under Adoni Head
Post Office. It is stated that it was a Single Windo Post
Office. Under the scheme incentive is provided to SPMs who

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operate the scheme and initially a rate of Rupee 1/- per transaction was prescribed. That rate was reduced to 0.50 paise by order of the Government of India dated 26.10.94. However, it appears that the local office continued to pay the amount to the applicant at the rate of Rupee 1/- per transaction. When that mistake was noticed the applicant was called upon to pay back the amount of Rs. 7,721/- which was paid to him in excess for the period from 1.11.94 to 30.4.96. The applicant filed a representation to Respondent-4 on 19.10.96 praying for withdrawal of the said notice of recovery.

3. As discussed in the order in OA 1506/96, in the interest of justice an opportunity is required to be given to the applicant to show cause against the order of recovery since, according to the learned counsel for the applicant, the applicant has become aware of the contents of the letter dated 26.10.94 only today and the applicant would want to raise further contentions in respect thereof as have not been raised in the representation dated 19.10.96 which is still pending. The learned Additional Standing Counsel, Mr. K. Bhaskar Rao, does not dispute that the representation dated 19.10.96 is still pending. In the circumstances, similar order as passed in the companion application deserves to be passed in this O.A. also. Hence the following order:

ORDER

- (1) The applicant is given liberty to put in further grounds in support of the representation dated 19.10.96 before the Fourth Respondent (Post Master, Adoni Head Post Office), within a period of two weeks from today.
- (2) On such further grounds being submitted within the aforesaid period, that shall be treated as

[Signature]

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grounds raised in the representation dated 19.10.96 and the Fourth Respondent will consider the representation in its totality and pass a suitable order on the representation. If necessary, it will be open to Respondents⁴ to take a decision in consultation with Respondents 2 and 3. The decision shall be communicated to the applicant.

(3) The recovery of the amount of arrears of excess payment under the impugned order shall stand stayed until the expiry of a period of two weeks from the date of communication of the decision on the representation to the applicant.

4. The O.A. is disposed of in terms of the above order finally. Applicant is permitted to convey the operative order telegraphically at his cost.

M.G. Chaudhary
M.G. Chaudhary (J)
Vice Chairman

31st December, 1996

*Amrit
1-1-97
DNO*

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O.A. 1508/96

To

1. The Director General of Postal Services,
Union of India, D/o Posts, New Delhi.
2. The Postmaster General,
Kurnool Region, Kurnool.
3. The Superintendent of Post Offices,
Kurnool Division, Kurnool.
4. The Postmaster, ^{Adoni} Kurnool Head Post Office,
Kurnool Dist.
5. One copy to Mr. B. S. A. Satyanarayana, Advocate, CAT. Hyd.
6. One copy to Mr. K. Bhaskar Rao, Addl. CGSC. CAT. Hyd.
7. One copy to Library, CAT. Hyd.
8. One spare copy.

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10/1/97, 9:45 AM

I COURT

TYPED BY

CHECHED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE M.G.CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR.H RAJENDRA PRASAD
MEMBER(ADMN)

Dated: 31 - 12 - 1996

~~ORDER~~ / JUDGMENT

M.A./R.A/C.A. No.

in
O.A.No: 1508/96

T.A.No. (W.P.)

Amitited and Interim Directions
Issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

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केन्द्रीय प्रशासनिक अधिकार अधिकार
Central Administrative Tribunal
DEPTT/DEPPATCH

- 6 JAN 1997 NNO

हृदयवाल अधिकारी
HYDERABAD BENCH