

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.44/97

Date of Order :- 9.1.97

BETWEEN :

Md. Miya Jani

.. Applicant.

AND

The Superintendent of Postoffices,
Hanumakonda Division, Hanumakonda,
Warangal Dist- 506001.

.. Respondent.

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Counsel for the Applicant

.. Mr.P.Rathaiah

Counsel for the Respondent

.. Mr.V.Bhimanna

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CORAM :

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

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

- - -

JUDGEMENT

X Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

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Heard Mr.P.Rathaiah, learned counsel for the applicant and Mr.V.Bhimanna, learned standing counsel for the respondents.

2. The applicant is working as EDDA, Mallapalli Sub Post Office. Due to the introduction of the cycle beat allowance which was earlier on the basis of food beat (the allowance was reviewed downwardly. Due to the downward review of allowances the recovery of the excess amount was sought to be made from him by order No.A-180 dt. 21.2.95 (A-2) issued by the respondent. As per the impugned order an excess amount was calculated on the basis of the reduction of allowances as Rs.420-320 p.m. w.e.f. 12.6.89 by the Postmaster Parkal H.O. and recovered from him from the date of his appointment.

3. Aggrieved by the above this OA is filed for setting aside the impugned memo No.A-180 dt. 21.2.95 of the Superintendent of Post Offices, Hanumakonda division, Hanumakonda ordering

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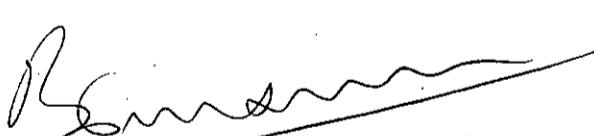
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revision of allowance downward and recovery of excess paid holding such action is arbitrary and illegal.

4. In a similar OA.835/96 decided on 16.7.96 it was held that the revised allowance shall take into effect from the issue of the impugned order and the amount if recovered retrospectively before the date of issue of the impugned order the same should be paid back to the applicant within three months from the date of receipt of a copy of an order in that OA. As the applicant in this OA is similarly placed and the prayer and contentions are same, we follow the earlier order given in the OA referred to above and direct as follows:-

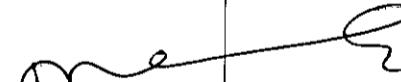
"The revised allowance for the applicants shall take effect from the issue of the impugned orders by the Superintendent of Post Office, Hanumakonda Postal Division, Hanumakonda. The amount if any recovered retrospectively before the issue of the impugned order, the same shall be paid back to the applicants within 3 months from the date of receipt of a copy of this order".

5. The OA is ordered accordingly at the admission stage itself. No costs.


(B.S. JAI PARAMESHWAR)

Member (Judl.)

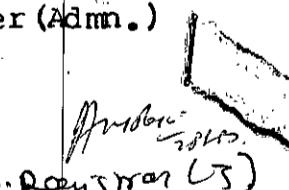
9.1.97


(R.RANGARAJAN)

Member (Admn.)

Dated: 9th January, 1997

(Dictated in Open Court)


D.Y. Registrar (U.S.)

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(6) 9/197
TYPED BY CHECKED BY
COMPARED 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: 9/1/97

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

D.A.NO. 44/97

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
DISMISSED FOR DEFAULT
ORDERED/REJECTED
NO ORDER AS TO COSTS.

II COURT

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