

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 94/97

Date of Order : 15.10.97

BETWEEN :

S.V.Siva Prasad

.. Applicant.

AND

Union of India represented by :

1. Chief Post Master General,
A.P.Circle, Hyderabad.
2. Post Master General,
Kurnool Region, Kurnool.
3. Post Master General,
Vijayawada Region, Vijayawada.
4. Senior Superintendent of Post
Offices, Nellore Division,
Nellore.
5. Superintendent of Post Offices,
Gudur Division, Gudur.
6. Accounts Officer, Internal Check
Audit Party Inspectors, Office of
Director of Postal Accounts,
Hyderabad.
7. Post Master, Nellore Head Post
Office, Nellore.

.. Respondents.

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Counsel for the Applicant

.. Mr. K.S.R.Anjaneyulu

Counsel for the Respondents

.. Mr. V.Vinod Kumar

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CORAM:

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

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O R D E R

X As per Hon'ble Shri R.Rangarajan , Member (Admn.) X

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Mr.D.Subrahmanyam for Mr.K.S.R.Anjaneyulu, learned counsel
for the applicant and Mr.V.Vinod Kumar, learned standing
counsel for the respondents.



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2. This OA is filed praying to call for the records relating to the fixation of the pay of the applicant and on perusal praying for a declaration that the order of R-6 contained in his objection memo No. 84 dated 23.12.96 (A-1) revising the pay fixation of the applicant already done in 1989, downward to Rs.1900 retrospectively and also ordering recovery of Rs.14,574 as over payment of pay and allowances for the period from 22.12.89 to 30.11.96 is arbitrary, illegal and untenable and for a consequential direction to set aside the same. It is further prayed for a direction to restore the pay of the applicant to Rs.2,000/- which he was drawing on 1.12.96 and refund the amount recovered from the applicant as excess paid ^{by way of} pay and allowances.

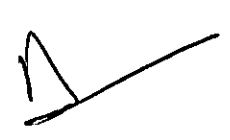
3. The applicant in this OA had filed a representation in regard to his above grievance to R-4 which is submitted on 6.1.97. That representation is still to be disposed of.

4. This OA was admitted on 13.2.97 when the following interim order was passed :-

- "
- (i) Interim stay of the impugned order dated 23.12.96 until further orders.
 - (ii) Liberty to respondents to apply for affecting Ad-interim order after filing the reply.

This order shall be without prejudice to the claim of the applicant relating to the amount already recovered under the impugned order if it can be expedited".

5. The case involves scrutiny of the Audit Inspection report and the applicability of that report to reduce the pay of the applicant. Hence at this stage it is too premature to pass an order unless the respondents themselves examine this



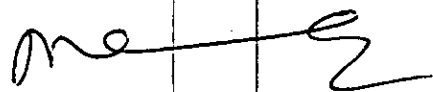
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issue in full detail. Hence if a direction given to R-3 to consider his representation and dispose it of early in accordance with the law after perusal of the details and also the contentions raised in this OA that will meet the ends of justice.

6. In view of the above, R-3 is directed to dispose of the representation of the applicant dated 6.1.97 after examining all the details and also the contentions raised in this OA expeditiously preferably within three months from the date of receipt of a copy of this order. Till such time the representation is disposed of by R-3 the interim order dated 13.12.97 ^{shall} ~~will~~ be inforce.

7. The OA is ordered accordingly. No costs.

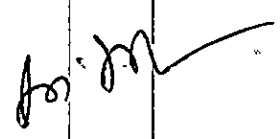


(R. RANGARAJAN)
Member (Admin.)

Dated : 15th October, 1997

(Dictated in Open Court)

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OA.94/97

1. The Chief Post Master General, A.P. Circle, Hyderabad.
2. The Post Master General, Kurnool Region, Kurnool.
3. The Post Master General, Vijayawada Region, Vijayawada.
4. The Senior Superintendent of Post Offices, Nellore Division, Nellore.
5. The Superintendent of Post Offices, Gudur Division, Gudur.
6. The Accounts Officer, Internal Check Audit Party Inspectors, O/o Director of Postal Accounts, Hyderabad.
7. The Post Master, Nellore Head Post Office, Nellore.
8. One copy to Mr. K.S.R.Anjaneyulu, Advocate, CAT., Hyd.
9. One copy to Mr. V.Vinod Kumar, Addl.CGSC., CAT., Hyd.
10. One copy to D.R.(A), CAT., Hyd.
11. One duplicate copy.

srr

23/10/97
TYPED BY
COMPALED BY

CHECKED BY
APPROVED BY

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: 15-10-97

~~ORDER/JUDGMENT~~

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

in
O.A. NO. 94/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

~~Ordered/Rejected~~

No order as to costs.

YLKR

II Court.

