

15
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

OA. NO.1545/97

Between:

Dass

And

The Accounts Officer (Cash),
Office of the Telecom Dist. Manager,
Kurnool.

2. The Telecom Dist. Manager,
Kurnool.

3. The Secretary, The Secunderabad
Telegraph Engineering Division
Employees Co-op. Credit Society,
Behind General Post Office,
Hyderabad.

Dated: 24-11-1997

Applicant



Respondents

Counsel for the Applicant :: Mr. G. Ramasubba Reddy

Counsel for the Respondents :: Mr. V. Bhimanna, Addl. CGSC.

CORAM:

THE HON'BLE MR. R. RANGARAJAN : MEMBER (A)

THE HON'BLE MR. B. S. JAI PARAMESWAR : MEMBER (J)

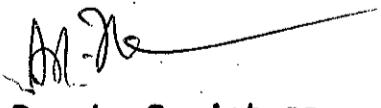
* * *

THE TRIBUNAL MADE THE FOLLOWING ORDER:-

Heard Mr. G. Ramasubba Reddy for the applicant and
Mr. V. Bhimanna for the respondents.

Admit:

Reply has to be filed in this OA. Till such time the OA
is disposed of no amount should be paid from the retirement
benefits hereafterwards to R-S society.


Deputy Registrar

DA.1545/97

Copy to:-

1. The Accounts Officer (Cash), O/o The Telecom Distt. Manager, Kurnool.
2. The Telecom Distt. Manager, Kurnool.
3. The Secretary, The Secunderabad Telegraph Engineering Division Employees Co-Op. Credit Society, Behind General Post Office, Hyderabad.
4. One copy to Mr. G.Ramasubba Reddy, Advocate, CAT., Hyd.
5. One copy to Mr. V.Shimanna, Addl. CGSC., CAT., Hyd.
6. One duplicate.

err

TYPED BY
COMPARED 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. DAI PARAMESHWAR :
M (J)

Dated: 24/11/97

ORDER/JUDGMENT

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

in
D.A. NO. 1545/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

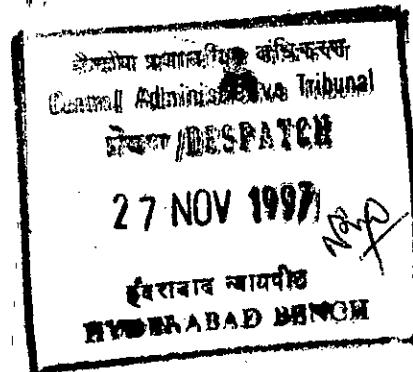
Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court



18

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.A.1545/97.

Dt. of Decision : 12-06-98.

D.Dass

.. Applicant.

Vs

1. The Accounts Officer (Cash),
O/o the Telecom Dist. Manager,
Kurnool.
2. Telecom Dist. Manager,
Kurnool.
3. The Secunderabad Telegraph
Engineering Division Employees
Co-op, Credit Society, Hyderabad
rep. by its Secretary, Abids,
Behind General Post Office,
Hyderabad.

.. Respondents.

Counsel for the applicant : Mr.G.Rama Subba Reddy

Counsel for the respondents : Mr.V.Bhimanna, Addl.CGSC.

CORAM:-

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

ORDER

None for the applicant. Heard Mr.V-Bhimanna, learned counsel for R-1 and R-2. Notice served on R-3. None present. R-3 called absent though notice served on the Secretary of the said Society.

2. The applicant in this OA submits that the loan taken by him from the R-3 Co-operative Society has been paid back by him. Hence, no amount from his final settlement dues has to be retained by the administration at the request of the Society for the payment of the loan taken by him from the Co-operative Society.

3. This OA is filed praying for a declaration that the action of the respondents in not releasing the retirement benefits, bonus and 1993 revised pay scale arrears and taking steps to remit an amount of Rs.25,635/- to R-3 Society from the retirement benefits of the applicant is illegal, arbitrary and without authority of law and for a consequential direction to R-1 and R-2 to release the entire retirement benefits of the applicant immediately without affecting any recovery.

4. Though no reply has been filed in this OA, the learned counsel for R-1 and R-2 submitted that the amount recovered from his final settlement dues is only for the purpose of out-standing amount of HBA with interest, LT advance and welfare loan. No amount has been retained by the administration for purpose of paying the reported loan to the society from the final settlement dues. However, an amount of Rs.14,800/- has been kept back from the arrears payable to the applicant due to the introduction of the 5th Pay Commission. This amount will be disbursed to him after settling the issue.

-3-

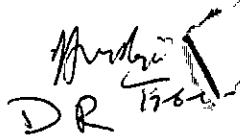
5. The applicant is a retired employee. Hence even the amount payable to him from the 5th Pay Commission arrears of pay should not be kept back indefinitely. Hence, R-1 should call for a joint meeting of the applicant and R-3 ^{to} finalise this issue within a period of two months from the date of receipt of a copy of this judgement. R-1 to implement the judgement, should arrange the meeting on a specified date when he should call ~~R-1~~ ^{the applicant} and R-3 by sending notice to them. If any one of them fails to attend the meeting it should be held that that person has no claim.

6. With the above direction the OA is disposed of.
No costs.



(R. RANGARAJAN)
MEMBER(ADMN.)

Dated : The 12th Jun 1, 1998.
(Dictated in the Open Court)


DR 1998

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Copy to:

1. The Accounts Officer, (Cash)
O/O Telecom District Manager, Kurnool.
2. Telecom Osit. Manager, Kurnool.
3. The Secretary, Secunderabad Telegraph Engineering Division Employees Co-Op. Credit Society, Behind G.P.O., Hyderabad.
4. One copy to Mr.G.Rama Subba Reddy, Advocate, CAT, Hyderabad.
5. One copy to Mr.V.Bhimanna, Addl.CGSC, CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

YLKR

6/2/98

(A)

II COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 12/6/98

ORDER/JUDGMENT

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

in:

O.A. NO. 1545/97

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

