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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.206/99.

Date of Decision: 21-12-99.

1. Gundu Venkata Rao
2. Smt. P.Pydamma

.. Applicants.

Vs

1. The Superintendent of Post Offices,
Postal Department, Visakhapatnam.
2. The Sub-Post Master,
Dept. of Posts & Telegraph,
Gazuwaka Sub-Post Office,
Gazuwaka, Visakhapatnam.

.. Respondents.

Counsel for the applicants : Mr.S.Venkata Subba Rao

Counsel for the respondents : Mr.P.Phalguna Rao, Addl.CGSC.

CORAM:-

THE HON'BLE SHRI JUSTICE D. H. NASIR : VICE CHAIRMAN

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

ORDER

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

None for the applicants. Heard Mr.P.Phalguna Rao, learned counsel for the respondents.

2. This OA is filed praying for a direction to R-1 not to recover the amount in pursuance of the proceedings dated 26-11-1998 issued by the Respondent No.1 proceedings No.Co.Lr.Est./1-60/FCC/98/Corr. Dated 26-11-98 by quashing the same.

3. A reply has been filed justifying the recovery as per the impugned order dated 26-11-98. However when we brought to the notice of the learned counsel for the respondents the order of this Tribunal in OA.1685/98 and batch disposed of on 29th April, 1999 wherein the following direction is given:-

"There is, therefore, no reason why on the application of the principle that 'equal pay should be paid for equal work' the present

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applicants before us be deprived of the same benefit in terms of pay/wages as well as in terms of the date from which the same could be made effective. There could, therefore, be no constraint on directing the Department to refrain from making any recoveries from the pay and allowances received by the applicants on the grounds of excess payment 'wrongly' made prior to 3-11-98."

The learned counsel for the respondents submitted that this OA is covered by that judgement. Hence, there is no constraint ⁱⁿ directing the department to refrain from making any recoveries from the pay and allowances received by the applicants herein on the ground of excess payment wrongly made prior to 3-11-1998.

4. The OA is ordered accordingly. No costs.



(R. RANGARAJAN)
MEMBER(ADMN.)


(D. H. NASIR)
VICE CHAIRMAN

Dated: The 21st December, 99.
(Dictated in the Open Court)

SPR

