

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.No.437/99

Date of Order: 16-8-99

Between:

M.Chennaiah

...Applicant

And

1. The Financial Advisor &
Chief Accounts Officer,
South Central Railway ,
Secunderabad.

2. The Chief Senior Accounts Officer ,
South Central Railway ,
Vijayawada .

3. The Divisional Railway Manager ,
South Central Railway ,
Vijayawada Division,Vijayawada .

...Respondents

Counsel for the Applicant - Mr.S.Ramakrishna Rao,Advocate

Counsel for the Respondents - Mr.K.Siva Reddy,SC for Rlys

CORAM:

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

...

Order

Heard.

The respondents are sought to be directed to refrain from making any recovery from the applicant's pension as stated in order No.A/PN/BZA/15667, dt.11.1.99 and Memo No. A/PN/BZA/15667, dt.26.6.1996. By a letter dt.17.9.96 addressed to the Finance Associate & Chief Accounts Officer, Headquarters, Secunderabad by the applicant it is stated that it was not the fault of the applicant that the excess amount of Rs.58,343/- was paid to him and therefore he could not be penalised at this juncture as he has already retired from service. He further submits that he is prepared for

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deduction of an amount of Rs.300/- p.m. as he has no other alternative but to wholly depend on pension. He further submits that he has 4 sons and he has to look after their education and welfare. The applicant therefore mentions in his representation dt.17.9.96 that the amount may be recovered by deducting Rs.300/- from his pension every month.

2. The learned standing counsel Mr.K.Siva Reddy mentions that Rs.300/- would be a very small amount and the recovery would take quite a long time for recovering the amount of Rs.58,343/- and therefore according to the learned counsel for Respondents the instalments should be not less than Rs.1000/- per month.

3. After hearing the learned counsel for rival parties at length I believe that the interests of justice would be served if the respondents are directed to deduct from the applicant's pension a sum of Rs.500/- per month from 1st September, 1999.

4. The OA is disposed of accordingly. No costs.

(JUSTICE D.H.NASIR)
Vice-Chairman

Dated: 16th August, 1999
'SA' (order dictated in the open court)

Am 13
m 2019