

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 11.3.1994.

OA 198/93

S.P. SINGH

... APPLICANT.

VS.

UNION OF INDIA & ANR. ... RESPONDENTS.

CORAM:

HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

For the Applicant ... NONE.

For the Respondents ... SHRI V.S. GURJAR.

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

Heard the learned counsel for the respondents and have perused the records. As far as Annexure A-2 is concerned, I will not like to disturb it. As far as Annexure A-1 dated 24.2.93 is concerned, no recovery can be effected without giving an opportunity of hearing to the opposite party from whom the amount is to be recovered. In the instant case, from the record available it is not clear whether such hearing was given to the applicant or not.

2. In the result, the OA is partly accepted. The order Annexure A-1 dated 24.2.93/1.3.93 directing the recovery of Rs.8,058/- is set aside. The respondents will be entitled to recover the amount, if any, found due after giving an opportunity of hearing to the applicant and after considering his representation.

3. The OA stands disposed of accordingly, with no order as to costs.

  
( D.L. MEHTA  
VICE CHAIRMAN