

④

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 12.07.2000

OA No.192/1999

Gurmukh Singh aged about 52 years, presently working as S.A.
in Jaipur General Post Office, Jaipur.

.. Applicant

Versus

1. Union of India through the Secretary to the Government of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Postmaster General, Rajasthan Circle, Jaipur.
3. Senior Superintendent, Jaipur City Dn. , Jaipur.
4. Senior Postmaster, Jaipur General Post Office, Jaipur.

.. Respondents

Mr. P.N.Jati, counsel for the applicant.

Mr. K.N.Shrimal, counsel for the respondents

CORAM:

Hon'ble Mr. Justice B.S.Raikote, Vice Chairman

Hon'ble Mr. N.P.Nawani, Administrative Member

ORDER

Per Hon'ble Mr. Justice B.S.Raikote, Vice Chairman

The applicant has filed this application challenging the order of recovery dated 20.4.2000 vide Ann.A1. The learned counsel for the applicant stated that the impugned order has been issued without any notice and without giving any opportunity to him. On the other hand, the counsel for the respondents submits that the applicant is not entitled to any notice since the recovery under Ann.A1 is as per the directions of Hon'ble the Supreme Court. But while issuing the order of recovery on the basis of any judgment, to which the applicant is not a party, in our opinion the principles of

1

natural justice should be complied with. The impugned recovery definitely causes civil consequences on the part of the applicant. In this view of the matter, we think it appropriate to set-aside the impugned order being contrary to the principles of natural justice. Accordingly, we pass the order as under:

Application is allowed. The impugned order at Ann.A1 is set-aside. Now it is open to the respondents to give a show-cause notice to the applicant, consider his representation, if any made, and pass appropriate order. No costs.



(N.P.NAWANI)

Adm. Member



(B.S.RAIKOTE)

Vice Chairman