

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

Original Application Nos. 040/00007/2017

Date of Order: This, the 21<sup>st</sup> day of February 2018

**THE HON'BLE MR. S.N. TERDAL, JUDICIAL MEMBER**

Dr. Jogendra Nath Bora  
Son of Late Nityananda Bora  
Resident of House No. 1, Ward No. 16  
Near Don Bosco School, Sonaighuli  
P.O. – Sawkuchi, Guwahati – 781040  
District – Kamrup (Assam).

...Applicant

By Advocates: Mr. A. Dasgupta, Sr. Advocate, Mrs. B. Das  
Mr. B. Das and Mr. Raja Sarkar

-Versus-

1. The Controller of Accounts  
Principal Account Office  
16-A Akbar Road Hatments Annexe  
New Delhi – 110 011.
2. Secretary  
Poultry & Fisheries  
Govt. of India  
Department of Animal Husbandry  
& Farmers' Welfare  
Dairying & Fisheries, Ministry of Agriculture  
Krishi Bhawan, New Delhi – 110114.
3. Director Incharge  
Central Poultry Development Organisation  
Western Region, Aarey Milk Colony  
Goregaon (East) Mumbai – 400065.
4. Director Incharge  
Central Poultry Performance  
Testing Centre  
Bagumpur Khatola  
P.O. – Narsinghpur, Gurgaon – 122001.

5. Pay & Accounts Officer  
Ministry of Agriculture  
Department of Animal Husbandry  
Dairying & Fisheries  
Exchange Building  
Ground Floor, Sprott Road  
Ballard Estate, Mumbai – 400001.

... Respondents

By Advocate: Ms. G. Sutradhar, Addl. CGSC

### **ORDER (ORAL)**

#### **MR. S.N. TERDAL, MEMBER (J):**

This O.A. is filed by the Applicant seeking a direction to the Respondents to refund Rs. 4,94,591/- deducted from his gratuity.

2. Heard Mr. A. Dasgupta, Sr. Advocate assisted by Mr. B. Das, learned counsel for the Applicant and Ms. G. Sutradhar, learned Addl. CGSC for the Respondents.

3. Earlier this Tribunal while disposing of the O.A. No. 040/00348/2015 on 18.11.2015 directed the Joint Secretary, Govt. of India, Ministry of Agriculture, New Delhi to dispose of the representation of the Applicant dated 17.04.2014 after giving personal hearing. In compliance of the said order, the Under Secretary to the Government of India, Ministry of Agriculture & Farmers Welfare, Department of Animal Husbandry, New Delhi by Minutes of the Hearing dated 14.07.2016 stated that as the recovery

is based on audit objection, it is for the Principal Accounts Officer, Department of Agriculture to pass an order considering the representation of the Applicant. Subsequently, the said Principal Accounts Officer, by his order bearing No. AGRI/IA/DLI/CPPTC, Gurgaon/48/2014-2014-15/698-99 dated 26.10.2016 disposed of the representation of the Applicant dated 29.08.2016.

3. But, however, said order dated 26.10.2016 is not a detailed nor speaking order supporting by any rules. In the circumstances, said Principal Accounts Officer, New Delhi is hereby directed to pass a speaking and detailed order supported by relevant Rules within a period of four months from the date of receipt of this order.

4. O.A. is disposed of. No order as to costs.

**(S.N. TERDAL)  
JUDICIAL MEMBER**

**PB**

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3	Ministry's letter dated 09.09.2011 and September 2011	Annexure-R/3 & R/4
4	Letter dated 30.10.2011	Annexure-R/5
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6	Letter dated 08.06.2016 and Minutes of hearing dated 14.07.2016	Annexure-R/7 & R/8
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