

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.101/2019

Dated Friday, the 1st day of February, 2019

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

&

Hon'ble Mr.P.Madhavan, Judicial Member

Revathi. S

Plot No. 57, Door No. 5, Jothi Nagar

4th Street, Tiruvottiyur,

Chennai – 600 019.

... Applicant

By Advocate M/s K.M. Ramesh

Vs.

1. Union of India

Rep. by the Director of Postal Services

O/o. The Postmaster General, CCR

Chennai – 600 002.

2. The Senior Superintendent of Post Offices

Tambaram Division, Tambaram

Chennai 600 045.

... Respondents

By Advocate Mr.Su.Srinivasan

(Order: Pronounced by Hon'ble Mr.R.Ramanujam, Member(A))

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

"To call for the records relating to the impugned proceedings of the 2nd respondent bearing Memo No. F1/7-19/18 dated at Tambaram 600 045 the 19.09.2018 and quash the same and to pass such other order or direction as this Tribunal may deem fit and proper in the circumstances of the case, award costs ."

2. It is submitted that the applicant was alleged to have been in possession of an excess cash of Rs.93801/- on 18.01.2018 and Rs.1,13,448/- on 19.01.2018 by raising ECB Memo No.15 & 16 respectively. She also failed to get SB-7(withdrawal form) (warrant of payment) in support of the liability. She kept the said excess cash on both the dates without effecting withdrawal to the extent of availability of cash in the office as required of her in the event of request from depositor of SB A/c no.7631784105. She further failed to maintain SO accounts from 29.12.2017 as required in Rule 98 of Postal Manual Volume VI Part III.

3. The impugned Annexure A-6 order dated 19.09.2018 held her responsible for the lapses and ordered a recovery of an amount of Rs.11834/- per month from the pay and allowances of the applicant now working as officiating SPM, Kaladipet starting from the month of September 2018, for a period of ten months. The applicant made Annexure A-7 appeal to the Director of Postal Services dated 05.11.2018

which is still pending. However, in the mean time deductions are taking place aggrieved by which the applicant has come up with this OA.

4. Mr.Su.Srinivasan, SCGSC takes notice for the respondents and submits that the matter is under consideration with the appellate authority and therefore it is premature for the Tribunal to interfere. As for the interim relief sought, it is submitted that the applicant had prayed for keeping in abeyance the impugned order until the appeal is finally disposed of. The competent authority would take a view on this while considering of the appeal.

5. Keeping in view the above submissions, we are of the view that since the matter is pending before the appellate authority, it is premature for this Tribunal to interfere. However, the appellate authority is directed to consider in the interim, if the recovery already taking place against the applicant must be held in abeyance pending disposal of the appeal. The decision on interim relief shall be taken within a period of one week and appeal itself be disposed of within the time limit prescribed in the statutory rules for this purpose.

6. OA is disposed of as above.

(P.MADHAVAN)
MEMBERJ)

01.02.2019

(R.RAMANUJAM)
MEMBER (A)

M.T.