

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O.A. No.60/714/2019
M.A. No.60/1908/2019

Date of decision: 07.12.2019

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).

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Baksha Ram, aged about 61 years, S/o Sh. Parsadu Ram (retired Sanitary Beldar), resident of Village Nada, Near Kheda Mandir, Distt. Mohali-160103. Group-D.

...APPLICANT

VERSUS

1. Union Territory, Chandigarh Administration, through its Secretary, Department of Health, Civil Secretariat, Deluxe Building, Sector-9, Chandigarh-160022.
2. The Director, Health and Family Welfare, Government Multi Specialty Hospital, Sector-16, Chandigarh-160015.
3. Assistant Director Malaria, Chandigarh Administration, SCO No.64-65, Sector-17-D, Chandigarh-160017.
4. The Accountant General (A&E), Punjab & UT Chandigarh, Account Office, Plot No.20-21, Sector-17E, Chandigarh-160017.

...RESPONDENTS

PRESENT: Sh. Parveen Kumar Rohilla, counsel for the applicant.
Sh. Arvind Moudgil, counsel for respondents no.1 to 3.
None for respondent no.4.

ORDER (Oral)

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SANJEEV KAUSHIK, MEMBER (J):-

1. The applicant assails order dated 22.4.2019 (Annexure A-3), whereby he has been informed that the amount of DCRG cannot be released as he has to repay loan amount of Rs.6,46,900 taken by Sh. Surjit Singh being guarantor.
2. On the previous date, respondents were directed to file specific reply as to why entire amount has been withheld by the respondents as



counsel for applicant informed that total sum due is Rs.6,46,900/- while entire amount of Rs.8,20,453/- has been withheld hence he prayed that remaining amount be released to applicant.

3. Today, learned counsel for respondents no.1 to 3 seeks permission to file reply along with annexures. Permitted. The same is taken on record.
4. Sh. Moudgil, draws attention of this Court to order dated 31.12.2018 passed by Assistant Registrar (Audit) Cooperative Societies, Punjab in (Arbitration) Case No.178/2017 filed by Punjab State Cooperative Bank Limited, Sector-35, Chandigarh against Sh. Surjit Singh and Ors. and submitted that in terms of order passed in the said case, entire amount of DCRG has been withheld as the applicant has been equally held responsible for not paying loan amount, therefore, amount cannot be released unless that order is modified or set aside by the higher Court.
5. Faced with above situation, learned counsel for the applicant seeks permission to withdraw this O.A. enabling applicant to approach appellate Court against the order passed by Assistant Registrar for withholding the entire amount.
6. Dismissed as withdrawn
7. M.A. No.60/1908/2019 also stands disposed of, as such.

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 07.12.2019.
Place: Chandigarh.

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