

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**CIRCUIT BENCH, RANCHI**  
**CP/051/00042/19 with MA/051/00187/2019**  
**[Arising out of OA/051/00102/2017]**

Date of Order: 19.09.2019

**C O R A M**  
**HON'BLE MR. JAYESH V. BHAIRAVIA, JUDICIAL MEMBER**  
**HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER**

Sandipan Das, ..... Applicant.

By Advocate: - Mr. M.A. Khan

-Versus-

1. Deleted.
  2. Shri A.K. Gupta, DRM, SE Railway, Hatia, Ranchi- 834003.
  3. Shri S. Srinivas, DPO, SE Railway, Hatia, Ranchi- 834003.
- ..... Respondents.

By Advocate: - Mr. Prabhat Kumar

**O R D E R**  
**[ORAL]**

**Per J.V. Bhairavia, J.M:-** Show cause has been filed by the respondents.

2. It is contended by the learned counsel for the applicant that in pursuance to the direction of this Tribunal passed in OA the bank account of the applicant has been de-frozen and he has been allowed to operate the said account. No further recovery has been made from the amount of pension and the enquiry against the applicant towards commercial has been concluded. It is submitted that the Enquiry Committee found the applicant responsible for recovery of Rs. 28,65,892/- on account of outstanding commercial debit after following the principles of natural justice by the members of the enquiry committee. In this regard, the learned counsel for the respondents has placed on record a copy of office order dated 12.07.2019. The respondents have also placed on record the copy of bank statement to substantiate their claim that they have complied with the order of the Tribunal dated 26.10.2018 in OA/051/00102/2017.
3. On the other hand, learned counsel for the applicant submits that the enquiry is not conducted by following the principles of natural justice. It is submitted that though he has participated in the fresh enquiry but the enquiry

committee has not supplied a copy of the enquiry report to him, Therefore, according to the applicant the respondents have not complied with the order of the Tribunal in its true spirit.

4. We are not in agreement with the submission made on behalf of the applicant. It is noticed from the show cause and the annexures attached to it that the respondents have complied with the order of the Tribunal. It is always open for the applicant to challenge the decision of the enquiry committee whereby he has been made responsible for recovery of the amount of commercial debit.

5. In view of the above, the CP is dropped. Notices issued stand discharged.

**[ Dinesh Sharma ]**  
**Administrative Member**

**[Jayesh V. Bhairavia]**  
**Judicial Member**

**Srk.**