

Amk

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6486 OF 2018

Shri Love Inder Berry

.. Petitioner

Vs.

State Bank of India & Ors.

.. Respondents

Mr. Arun Berry for the Petitioner.

Ms. Jyoti Tiwari Patkar for Respondent Nos.1, 2 & 4.

Mr. Suresh Kumar for Respondent No.3-UOI.

CORAM : R. M. SAVANT & K. K. SONAWANE, JJ.

DATE : 21st AUGUST, 2018.

P. C. :

1. The grievance made in the above petition is as regards the recovery sought to be made from the pension being paid to the petitioner on the ground that the petitioner has been paid an excess amount of pension on account of wrong fixation of the salary while he was working with the Railways. In our view, though the issue is as regards the recovery made from the pension, the same would be a “service matter” within the meaning of the Administrative Tribunals Act and which would therefore come within the jurisdiction of the Central Administrative Tribunal. Hence, we decline to entertain the above writ petition and relegate the petitioner to the remedy which he may adopt before the Central Administrative Tribunal.
2. The petition to, accordingly, stand disposed of on the said ground.