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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1910/2002

This the 29th day of April, 2003

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HON'BLE SH. KULDIP SINGH, MEMBER (J)

Shri Ashok Bakshi
(Retd. IAS Officer)
D-II/91 I.T.I. Complex,
Pusa Institute
New Delhi.

...Applicant.

(By Advocate: Sh. S.K.Sinha)

Versus

1. Director (Allotment)
Land & Building Department, P.W.D.,
Vikas Bhawan,
Govt. of NCT of Delhi,
New Delhi.
2. Principal
Pusa Polytechnic Institute,
Pusa, New Delhi.
3. Secretary,
Directorate of Training and
Technical Education
Muni Maya Ram Marg,
Govt. of NCT of Delhi
Pritam Pura, New Delhi.
4. Shri D.S. Nijjar
Joint Director (Administration)
Directorate of Training and
Technical Education
Muni Maya Ram Marg,
Govt. of NCT of Delhi,
Pritam Pura, New Delhi

...Respondents.

(By Advocate: Sh. George Paracken for Resp. No.2,3 & 4
None for Resp. No.1)

ORDER (ORAL)

Applicant who had been working under Delhi
Administration had retired and had over-stayed in the
accommodation allotted to him. Respondents had demanded
damage rent which applicant has challenged in the OA.

2. As per OA, applicant in his relief clause also accepts
that the respondents have charged only Rs.8,018/- per month
for the months of April to August 2002 as damage charges in

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respect of retention of the Govt. accommodation by the applicant. Now the respondents have revised that the rates of the damage rent have raised the demand as per revised rates of damages which has been conveyed to the applicant. It is the revision of rate of damage rent which is being impugned in this OA.

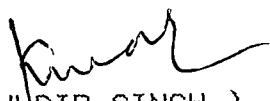
3. Learned counsel for applicant submits that revision of damage rent has been made by Central Govt. by the Directorate of Estates and the same has not been adopted by Govt. of NCTD and same cannot be made applicable in the case of the petitioner. However, on going through the document, I find that this has been issued with the approval of Finance Department of Govt. of NCT of Delhi vide their U.No.389/GA-I/Fin./G dated 8.7.2002. The rates of damage rent has been revised w.e.f. 1.5.2002. The respondents are demanding the rent in accordance with the O.M. rent adopted by the Finance Department, Ministry of Urban Development for such like cases where the allottees overstayed in the premises after their retirement.

4. Counsel for applicant has also submitted that the applicant is being discriminated as one other officer is not being subjected to pay damage rent but respondents submitted that the instance given by the applicant of an officer who has been given re-employment and he has been permitted to retain accommodation. So no discrimination has been made against the applicant. Respondents submits that rent is uniform for all the employees of Govt. of NCT of Delhi..



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5. In view of these pleadings and particularly the order revising the rate of damage rent chargeable which has approval of the Finance Department. I find none of the grounds taken by the applicant survives. The demand made by the respondents as per revised rates is justified and is in accordance with law. No interference is called for. OA is therefore, dismissed. No costs.



(KULDIP SINGH) -
Member (J)

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