

(15)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

OA NO. 1910/2002

This the 29th day of April, 2003

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)

**O R D E R (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

*[Signature]*


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.



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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