

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

Hon'ble Shri Shanker Raju, Member (Judicial)

O.A.No.2293/1998

New Delhi, this the 13th day of September, 2001

CSIR
Anusandhan Bhawan
2, Rafi Marg
New Delhi - 110 001.

... Applicant

(By Advocate: Ms. K.Iyer)

Vs.

Parmatma Saran
Ex. Technical Officer
s/o Shri Kamta Prashad Sharma
r/o C-39A, Shastri Nagar
Ghaziabad (UP).

... Respondent

(Respondent in person)

O R D E R (Oral)

By Shanker Raju, Member (J):

The present application has been filed by CSIR praying for vacation of their accommodation by an unauthorised occupant, i.e., respondent herein, beyond the permissible period after retirement. The matter has been gone into by the Larger Bench of this Court as to the loco standi of the applicant to maintain under Rule 19 of the Administrative Tribunal Act, 1985, having ruled that the same is permissible.

2. The brief fact of the case is that on account of disability to vacate the Government accommodation as the respondent's house having been constructed, allowed to retain the Government accommodation as per the permissible period as laid down under the rules. Thereafter, despite several notices and proceedings the respondent has failed to vacate the accommodation and the applicant has started the recovery of certain amounts and the same has been

continued till 15.10.1998. Thereafter, on account of the stay granted by the Court at Ghaziabad, the recovery could not be effected.

3. According to the respondent, who is present in person, it is apprised that most of the amounts have already been recovered from his pension, insurance and other retiral benefits.

4. In this view of the matter, the present OA is disposed of with a direction to the respondent, who is present in person, to make a representation to the applicant, i.e., CSIR within one month from the date of receipt of a copy of this order, incorporating the particulars of the amount deducted from his retiral benefits and thereafter the applicant shall compute the penal rent as per the rules on the subject and if anything left to be recovered from the respondent, the same would be charged from him or in case the recovery has already been effected to the amount due, the respondent would be informed accordingly within one month from the date of receipt of such representation. With the above directions, the OA is disposed of. No costs.

S. Ram
(SHANKER RAJU)
MEMBER(J)

/RAO/