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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 948 of 1995

New Delhi this the 15th day of March, 1996

HON'BLE MR. K. MUTHUKUMAR, MEMBER (A)

Shri H.S. Panwar
R/o C-58 Krishi Vihar,
New Delhi-110 048.

..Applicant

In person

Versus

1. Indian Council of Agricultural
Research through
Secretary,
Indian Council of Agricultural Research,
Krishi Bhawan,
New Delhi-110001.
2. Union of India through
Secretary,
Ministry of Information and Broadcasting,
Shastri Bhawan,
New Delhi-110001.
3. The Pay and Accounts Officer,
I.R.L.A.,
(Min. of Information & Broadcasting)
A.G.C.R. Building,
I.P. Estate,
New Delhi-110 002. ..Respondents

By Advocate Shri R.S. Aggarwal

ORDER (ORAL)


Hon'ble Mr. K. Muthukumar

The applicant, who is present in person,
states that the respondents have paid Rs.7790/-
although a sum of Rs.9505/- was recovered from
him in excess. The learned counsel for the
respondents states that applicant had retained

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the departmental pool accommodation despite the fact that he was transferred on deputation to the other department and, therefore, the market rent was charged. Subsequently, the market rent was changed as this facility was given to the similiary situated persons, ^{and} he (the applicant) should be only charged the normal licence fee and, therefore, the excess amount could be returned. The learned counsel for the respondents submits that there was no case for payment of interest ~~as originally made.~~ The market rent which was recovered in excess was returned back and it was only an administrative discretion that the market rent was reduced to normal licence fee. Accordingly, Rs.7790/- has been paid to the applicant after verification from the audit. In view of this, nothing survives in this application. The applicant is clearly not entitled to any interest. In view of the fact that the applicant has been paid Rs.7790/- after verification from audit, this case is closed with liberty to the applicant to approach the Tribunal again after calculations made by the respondents duly verified by the audit is found to be incorrect. Accordingly, the respondents are directed to give statement of overpayment that has been refunded to him as per their calculation.

No costs.


(K. MUTHUKUMAR)
MEMBER (A)

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