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**In the Central Administrative Tribunal
Principal Bench: New Delhi**

OA No.2048/88

Date of decision: 26.04.1993.

Shri P. Sahai

...Petitioner

Versus

Union of India through the
Director of Estates, Nirman Bhawan,
New Delhi & Another

...Respondents

Coram:-

The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the petitioner

In person.

For the respondents

Shri M.L. Verma, Counsel.

Judgement (Oral)


I have heard the petitioner in person and the learned counsel for the respondents. The only point at issue is the recovery of Rs.578.50 for the quarter No.39-II-B (417) Lancers Road, Delhi. The said quarter was under the occupation of the petitioner and was subsequently regularised in favour of the petitioner's son, as is apparent from page 20 of the paperbook, which is a letter of the Assistant Director of Estates, addressed to the Commissioner of Income Tax where the petitioner's son is employed. The son of the petitioner has been allotted the quarter on the undertaking that he will clear the arrears of rent, if any, outstanding against his father Shri P. Sahai. A memo was issued to Assistant Director of Income Tax vide page 29 of the paperbook that the said amount may be recovered from Shri Nandu Sahai, (son of the petitioner) UDC working in the Commissioner of Income Tax, New Delhi. Similarly, Shri Nandu Sahai was addressed separately on 19.7.1988 vide page 32 of the paperbook to

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deposit Rs.578.50 with the Assistant Director of Estates (Accounts). Apparently the son has not paid this amount nor the same has been recovered from his salary bills. In the meantime, a sum of Rs.1,000/- kept in deposit in accordance with the rules on the retirement of the petitioner from his D.C.R.G. continues to remain with them.

2. In view of the above facts and circumstances of the case, I direct the respondents to recover the said amount from Rs.1,000/- and refund the balance amount of Rs.1,000/- minus Rs.578.50 to the petitioner within 8 weeks from the date of communication of this order. No costs.

San.


(I.K. Rasgotra)
Member(A)