

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn. No O.A. No. 812/87

14.7.92
Date of decision

Bhagat Ram

Applicant

Applicant in person

vs.

Union of India *A.O.S.*

Respondents

None

Counsel for the respondents

CORAM

The Hon'ble Mr. Justice Ram Pal Singh, Vice-Chairman(J).

The Hon'ble Mr. I.P. Gupta, Member (A).

JUDGMENT (ORAL)

In this application the applicant has asked for multiple reliefs which are not admissible, but in the course of the arguments, the applicant, who appeared in person, pressed for consideration of two issues, mainly, recovery from his D.C.R.G. to the extent of Rs. 4178.00 and non-payment of interest on delayed payment of D.C.R.G.

2. The applicant retired from service on 31.10.84. While he was in service, he was chargesheeted in 1983, but after his retirement on 31.10.84, the disciplinary case against him was dropped as it was considered by the respondents to be infructuous.

3. Regarding recovery from the D.C.R.G., the counter shows that the applicant was in unauthorised occupation of Government quarter from 30.8.81 to 9.6.85 and that he had paid the normal rent during the period but the respondents charged penal rent and after calculation of the penal rent chargeable minus the normal rent paid, it was found that an amount of Rs. 3731.46 was payable by the applicant. Additionally, Rs. 446.56 was chargeable on account of normal electric charges.

4. In the course of the arguments, the applicant pointed out that, according to the Railway Manual, no rent could have been charged by the respondents during the eviction proceedings. In this case, however, no eviction proceedings appear to have been undertaken. This point is, therefore, not very relevant.

(15)

5. According to rules, Government dues are recoverable from D.C.R.G. and, therefore, there is no illegality in the respondents' action in recovering the dues regarding rent from the applicant's D.C.R.G.

6. Regarding interest on delayed payment, it may be stated here that the applicant vacated the Government quarter only on 9.6.85. Since the applicant was in unauthorised occupation of Government accommodation and since he had not cleared the dues, the ~~question~~^{claim for} payment of D.C.R.G. prior to 9.6.85 does not arise. However, the respondents should have calculated the dues within one month of his ~~vacation~~^{vacation} of the quarter and after due deduction, the amount of D.C.R.G. should have been paid to him. We, therefore, allow interest to the applicant from 9.7.85 to 2.3.86 at the rate of 12% per annum as the cheque for D.C.R.G. given to the applicant is said to be dated 3.3.86.

7. Before parting, it may also be mentioned that the applicant had a grievance that his Railway passes, as due to him, were not issued to him. He made representations also to the respondents in this regard. His representations have not elicited any favourable response from the respondents. The respondents are directed to consider his grievance in regard to the Railway passes for such remedial measures as deemed fit within a period of three months from the date of receipt of a copy of this order.

8. With the above direction, the O.A. is disposed of finally with no order as to costs.


(I.P. GUPTA)

MEMBER (A)


(RAM PAL SINGH)

VICE-CHAIRMAN (J)