

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.592/90.

New Delhi, this the 5th day of July, 1994.

SHRI J.P. SHARMA, MEMBER(J).
SHRI S.R. ADIGE, MEMBER(A).

Shri V.S. Prasad,
S/o Shri Krishnaji,
R/o 437, Kamla Nehru Nagar,
Ghaziabad, U.P.-201002.

...Applicant

By advocate : None.

V/s.

1. Union of India, through
Secretary,
Ministry of Works & Housing (Dte of Printing).

2. Asstt. Manager(Admn),
Govt. of India Press,
New Delhi.

3. The Executive Engineer (Elect),
CPWD Hindon Airfield,
Ghaziabad.

...Respondents

By advocate : None.

ORDER (ORAL)

J.P.SHARMA:

The applicant was working as Assistant Engineer (Electrical), CPWD, Airfield. He came on deputation to Govt. of India Press, Minto Road in September 1987 and was allotted quarter no.D 133, Thompson Road, New Delhi on 23.9.1987. He was relieved from this post on 8.2.88 and was directed to report to the parent organisation on completion of deputation period, i.e., Executive Engineer, CPWD, Hindon Airfield. The applicant did not vacate the residence and retained the same till 7.7.89. On sympathetic ground, on account of education of the children, permission was granted to retain the said premises upto May, 1988. The applicant was never granted permission thereafter.

and parent department was asked to deduct the sum of Rs.3,678 per month by the impugned order dated 23.2.90 from the salary of the applicant. The applicant filed this application in April, 1990 for the relief that the aforesaid order of 23.2.90 be quashed and the respondents be directed only to recover Rs.230 per month upto 31.5.1989.

2. The respondents did not contest this application inspite of service of notice and the right to file counter was forfeited by the order dated 13.9.90. The matter is listed for today for hearing when none is present on behalf of the parties. Since this is an old matter, we dispose of this application on the basis of the pleadings on record.

3. Under the service rule 3(b), the applicant could retain the allotted quarter by Govt. of India Press, Minto Road for a period of 2 months and thereafter he could have retained the government accommodation only on the specific permission of the controlling authority. He has been granted permission upto May, 1988. In view of this, the applicant cannot of his own retain the government accommodation on transfer and liable to be recovered damages/rent. We don't find any illegality or infirmity in the impugned order dated 23.2.90. The application, therefore, is dismissed as devoid of merit. The interim order granted on 6.4.90 withholding the recovery from the applicant is vacated. Costs on parties.

K. Adige
(S.R. ADIGE)
MEMBER(A)

J. P. Sharma
(J.P. SHARMA)
MEMBER(J)

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