

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

(3)

OA-1012/91

Date of Order: 23.6.1991

SHRI CHANNOO

...APPLICANT

VERSUS

SECRETARY, PRESIDENT'S... RESPONDENTS

SECRETARIAT

CORAM

THE HON'BLE MR. T.S. OBEROI, MEMBER (J)

THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

FOR THE APPLICANT SHRI RAVI GUPTA, COUNSEL

FOR THE RESPONDENTS SHRI A.K. BEHRA, PROXY COUNSEL

FOR SHRI P.H. RAMCHANDANI,
SENIOR COUNSEL.

JUDGEMENT (ORAL)

The learned proxy counsel for the respondents placed on record an order dated 30.7.1991, issued by the respondents, sanctioning a house building advance of Rs.40,000, to the applicant, as admissible to him, in accordance with the Rules. Since the advance in question has been sanctioned to the applicant, the learned proxy counsel for the respondents stated that there is no more any necessity to file counter on behalf of the respondents.

The learned counsel for the applicant, by referring to an earlier order dated 2.1.1990 (A-5 to the OA) stated that earlier the respondents had

seen

communicated that an advance of Rs.55,500/- on this account was admissible to the applicant, and now, they have curtailed the amount of Rs.40,000 without indicating any reasons for the same. To this, the learned proxy counsel for the respondents stated that the amount earlier communicated, as per A-5, included the prospective amount of interest which the applicant was supposed to pay on the amount of house building advance, to which he was entitled as per Rules, and the same was not considered necessary, to be mentioned or communicated to the applicant separately, in the order dated 30.7.1991. The learned counsel for the applicant further insists that keeping in view the escalated cost of construction, we may direct the respondents to sanction an advance of Rs.55,500/-, as earlier communicated by the respondents themselves, as per A-5. However, after carefully considering the position, and keeping in view that the House Building Rules are quite complex ones, and the respondents had, after considering all the attendant circumstances of the applicant, revised and sanctioned afresh, the amount of Rs.40,000/-, as communicated by their order dated 30.7.1991, we are not inclined to give any direction to the respondents, as prayed for, by the learned counsel for the applicant. However, in case the applicant so feels aggrieved, after ^{making} keeping himself abreast of the relevant Rules on the subject, he may represent to the respondents, through proper channel, upon which the respondents may reconsider, if they can increase this amount to any reasonable extent, in accordance with the Rules.

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With the above, the D.A. is disposed of, with
no order as to costs.

(5)

Sh. Singh
(I.K. RASGOTRA)

T.S. Oberoi
(T.S. OBEROI)

MEMBER(A)

MEMBER(J)

23.8.91.

23.8.91.