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Central Administrative Tribunal
Principal Bench

O.A. No. 1098 of 1993

New Delhi, dated this the 15th December, 1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MR. JASBIR SINGH DHALIWAL, MEMBER (J)

Shri O.P. Batra,
S/o late Shri C.R. Batra,
Flat No. 121, New Surya Kiran Apartments,
Plot no. 65, Patparganj,
I.P. Extension,
Delhi-110092.

... Applicant

(By Advocate: Dr. D.C. Vohra)

Versus

1. Union of India through
the Foreign Secretary,
Ministry of External Affairs,
New Delhi-110011.

2. Embassy of India,
Baghdad (Iraq),
through its Head of Chancery,
C/o Diplomatic Bag Section,
Ministry of External Affairs,
South Block, New Delhi.

... Respondents

(By Advocate: Shri N.S. Mehta)

O R D E R

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant impugns respondents' order dated 18.11.91 (Ann. V) and dated Nil (Ann. W) ordering recovery of Rs.8273.05 (162.70 Iraqi Dinars) and to permit him to deposit the left over 135 Iraqi Dinars (out of the 162.70 Iq. Dinars returned to Respondent No.2) against compensation in Rupees at the exchange rate prevailing on 25.9.89 as a part of settlement of his T.A. Claim.

2. We have heard applicant's counsel Dr. Vohra and Respondents' counsel Shri Mehta.


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3. The fact that applicant himself seeks by way of relief, permission to adjust the 135 Iraqi Dinars against the recoveries of Rs.8273.05 (162.70 Iraqi Dinars at the exchange rate prevailing on 25.9.89) makes it abundantly clear that applicant himself does not seriously dispute the legality of the recoveries ordered in term of the rules and instructions, as explained by respondents in their reply to the O.A.

0 4. Under the circumstances, this O.A. is dismissed, leaving it open to respondents to adjust the 135 Iraqi Dinars left over with applicant, against the recoveries ordered, at the appropriate exchange rate, in accordance with rules and instructions. No costs.


(J.S. DHALI WAL)
MEMBER (J)

/GK/


(S.R. ADIGE)
VICE CHAIRMAN (A)