

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH ALLAHABAD

Original Application No. 655 of 1992

Union of India & Others . . . . . Applicants

Versus

Basudeo Prasad and others . . . . . Respondents

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. K. Obayya, Member (A)

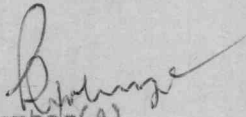
( By Hon'ble Mr. Justice U.C. Srivastava, V.C.)


The respondents no. 1 was a Railway employee and he retired on 1.12.1983 as a Driver. After his retirement, he approached before the payment and wages authorities under section 15 of the payment and Wages Act with the allegations that although, the rent of the premises which ~~was~~ <sup>at</sup> allotted to him in the year 1957/ Rs. 5/- per month, but the respondents have <sup>been</sup> ~~unauthorisedly~~ deducting ~~the~~ more rent. Earlier from the year 1976, they started deducting Rs. 13 per month and thereafter, they started deducting Rs. 24.50 paise from March 1976. A joint application by applicant and others was made and it appears as a result of the representation, the Division Personal Commercial Officer vide order 14.4.83 ordered that the rent of the premises has been determined as Rs. 23 per month, but the excess which has been realised from the persons including the applicant from the 4.5.1980 it may be refunded to him ~~which~~ over and above Rs. 5 per month and according to the applicant this amount comes to 2912. This was the simple case before the payment and Wages authorities, which also departed from the main pleadings. The applicant was entitled <sup>to</sup> ~~for~~ refund <sup>of</sup> the amount and the respondents are bound to refund the same. According to the respondents, the amount was sent, but it was returned back.

2. Accordingly, the respondents are directed to refund a sum of Rs. 2912/- or any other amount which <sup>by</sup> ~~calculation~~ comes to excess amount, as per letter of Division Commercial Personnel

Contd..2/-

Officer, within a period of three months from the date of communication of this order and they shall pay 9% interest to him from the month of October, 1985 upto the date of payment. With the above observations, the application stands disposed of finally. No order as to the cost.

  
Member(A)

  
Vice-Chairman

Allahabad Dated: 24.11.1992

(RKA)