

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

No
Repayment
of HBA

O.A. No. 369 of 1992
T.A. No.

DATE OF DECISION 9-12-1992

Smt. B.K. Mehta

Petitioner

Shri K.S. Jhaveri

Advocate for the Petitioner(s)

Versus

Union of India and Ors.

Respondent

Shri Akil Kureshi

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.V. Krishnan

Vice Chairman.

The Hon'ble Mr. R.C. Bhatt

Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

2.

Smt. Bhavnaben Kamleshkumar Mehta
Transmission Asstt., Carrier Stn.,
Tele. Exch. Dhrangadhra, Pin 363 310
District Surendranagar.

Applicant.

Advocate Mr. K. S. Jhaveri

Versus

1. Union of India,
notice to be served through
the Secretary, Telecom Department,
Sanchar Bhavan, New Delhi 110 011.
2. Chief General Manager
Office of the Chief General Manager
Gujarat Telecom Circle Khanpur,
Administrative Office, Khanpur, A'bad.
3. Telecom District Engineer
Telecom Distt. Engg.
Near Alankar Talkies
Surendranagar 363 301
4. Sub-divisional Officer Telegraph
Bhargavi Society Dhrangadhra -10

Respondents.

Advocate Shri Akil Kureshi

ORAL JUDGEMENT

IN

O.A. 369 of 1992

Date: 9-12-1992.

Per Hon'ble Vice Chairman Shri N.V. Krishnan

The applicant is a transmission Assistant under the fourth respondent. This application relates to the grant of House Building advance to the applicant for which he had applied on 10-11-1989 (Annexure A-1) .

As we ~~felt~~^{felt} that the application could be disposed of by obtaining a statement of the respondents, we directed the respondents to file a statment. Accordingly, such a statement has been filed. It is stated that, in view of a change in the instructions relating to House Building allowance needed to repay temporary loan taken by, ^{the} employee~~s~~, the respondents had asked for certain information from the applicant to enable them to dispose of his application. It is also stated ^{it} ~~that~~ in paras 5.3 of the reply that the applica~~tion~~^{tion} has replied on 26-9-1992 and submitted most of the documents demanded by the respondents. Respondents however states that the ~~some~~ more action remains to be done by the applicant relating to the submission of the mortgage deed. The learned Counsel for the applicant orally states that the mortgage deed has since been submitted on 16-11-1992.

2. Shri Akil Kureshi for the respondent states that if all information required by the respondents have been given to them, it would be possible for them to dispose of the Annexure A-1 application in accordance with law.

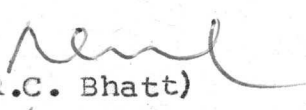
3. In view of these submission, we admit this application and proceed to dispose of the same with the following directions.

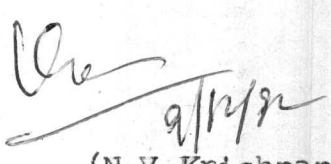
(i) The applicant shall now send an intimation

within two weeks from the date of receipt of this order, to the fourth respondent as to how the compliance expected of her (i.e. submission of documents etc) have been complied with.

ii) In case such an intimation is received by the fourth respondent, he is directed to send all papers of the applicant relating to this case, within 15 days, to the second respondent, under intimation to the applicant. On receipt thereof of the same, the second respondent is directed to consider the application and dispose it of the same, in accordance with law, within six weeks thereafter, under intimation to the applicant.

4. Application is disposed of accordingly.


(R.C. Bhatt)
Member (J)


(N.V. Krishnan)
Vice Chairman.

*AS.

2.

Smt. Bhavnaben Kamleshkumar Mehta
Transmission Assst., Carrier Stn.,
Tele. Exch. Dhrangadhra, Pin 363 310
District Surendranagar.

Applicant.

Advocate Mr. K. S. Jhaveri

Versus

1. Union of India,
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Bhargavi Society Dhrangadhra -10

Respondents.

Advocate Shri Akil Kureshi

ORAL JUDGEMENT

IN

O.A. 369 of 1992

Date: 9-12-1992.

Per Hon'ble Vice Chairman Shri N.V. Krishnan

The applicant is a transmission Assistant under the fourth respondent. This application relates to the grant of House Building advance to the applicant for which he had applied on 10-11-1989 (Annexure A-1) .

As we feel that the application could be disposed of by obtaining a statement of the respondents, we directed the respondents to file a statement.

Accordingly such a statement has been filed. It is stated that in view of a change in the instructions relating to House Building allowance needed to repay temporary loan taken by employer, the respondents had asked for certain information from the applicant to enable them to dispose of his application. It is also stated that in paras 5.3 of the reply that the ~~applicant~~ has replied on 26-9-1992 and submitted most of the documents demanded by the respondents. Respondents however states that the some more action remains to be done by the applicant relating to the submission of the mortgage deed. The learned Counsel for the applicant orally states that the mortgage deed has since been submitted on 16-11-1992.

2. Shri Akil Kureshi for the respondent states that if all information required by the respondents have been given to them, it would be possible for them to dispose of the Annexure A-1 application in accordance with law.

3. In view of these submission we admit this application and proceed to dispose of the same with the following directions.

(i) The applicant shall now send on intimation

within two weeks from the date of receipt of this order to the fourth respondent as to how the compliance expected of her (i.e. submission of documents etc) have been complied with.

ii) In case such an intimation is received by the fourth respondent, he is directed to send all papers of the applicant relating to this case, within 15 days, to the second respondent under intimation to the applicant. On receipt thereof of the same the second respondent is directed to consider the application and dispose it of the same in accordance with law within six weeks thereafter under intimation to the applicant.

4. Application is disposed of accordingly.

(R.C. Bhatt)
Member (J)

(N.V. Krishnan)
Vice Chairman.

*AS.