

Order dated 12.5.2004

The applicant, at present working at Keonjharh
Head Post Office is aggrieved by non-sanction of entitled
quantum of House Building Advance (in short HBA) by the
Respondents and is seeking a review of the case by the
Respondents under the rules in force. The applicant contends
that because of paucity of funds, he cannot complete the
construction of the house and he also very emphatically
averred that money that was obtained from the Government by
way of HBA has been fully spent for the construction of
the house. He produced photographic evidence to show the
stage at which now the construction of the house stands.
~~completed~~. The Respondents have not contested the fact that
the house was not constructed upto plinth level. Their
only contention is that the construction of the house
beyond the plinth level was not reported by the applicant
and therefore, they have inferred that perhaps no ^{progress}
~~construction~~ beyond plinth level ^{was achieved} ~~was taken place~~ and
therefore, penal recovery of the entire HBA is ^{remanded} ~~liable~~
~~to be recovered~~. The learned counsel for the applicant
submitted that he would be satisfied if he is allowed to
make a fresh representation addressed to the Respondents
pointing out the rules under which he would be entitled
to receive the higher amount than what he has received
towards HBA. He is also prepared to produce any evidence
as required to show that the construction ^{of the house} ~~has reached~~ ^{gone}
beyond the plinth level and in this respect, if the house
site is inspected by the appropriate authorities in the

Copies of
order dt. 12.5.04
prepared for
Counsel for
both side

for
sc (H)

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Department, the counsel for the applicant submitted, it would add to his case. The learned counsel for the Respondents has no objection to ~~this~~ the adoption of such a course. Therefore, in the interest of justice, I direct that the applicant should make a fresh representation citing the rules under which he is entitled higher HBA than what he has already received and offering inspection of the house site by the authorities and on receipt of such a representation, the authorities competent should dispose of the same within a period of six weeks from the date of receipt of representation.

With this observation and direction, the case is closed.

H. I. 24
MEMBER (ADMINISTRATIVE)