

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

1.12.2003

Ld. counsel for the applicant is present.  
Ld. ASC prays for further 04 weeks time to file counter. Heard.

Time is granted as a last chance till 24.12.2003 to file counter.

*Done*  
REGISTRAR

Computer filed. Copy  
Served - For further  
orders.

*Registers*

By  
20/12/03

Order dt. 23.12.03

Parties are absent  
on call.

Adjourned to  
15.3.04 for filing of  
rejoinder, if any.

*Done  
23/12/03*

Rejoinder not filed.

*Registers*

By  
12/3/04

ORDER DATED 01.07.2004.

Applicant Debendranath Majhi, while working as Sub Post Master of Marshaghai Sub Post Office in the revenue District of Kendrapara of Orissa, was provided with a rent free quarters. By filing the present Original Application, the Applicant has sought for a direction to the Department to give him the house rent allowances on the ground that he is not occupying the quarters in question. It is the case of the Applicant that adequate water supply is not available to the quarters in question and, therefore, he is not residing in the said premises.

By filing counter, the Respondents have explained that there are some problems pertaining to the water supply to the quarters in question and the said defect has already been removed by spending around Rs. 4,739/- whereafter, the quarters is now fully equipped habitable condition and for non-occupation of the said quarters, the Applicant is not entitled to house rent allowances.

By filing rejoinder, the Applicant has only reiterated the stand taken in the O.A.

Heard Mr. P. K. Padhi, learned Counsel for the Applicant and Mr. S. Behera, learned Additional Standing Counsel appearing for the Respondents and perused the materials placed on record. *J.S.*

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Dt. 15.3.04

The learned counsel for the applicant prays for time to file ~~rejoinder~~ rejoinder. Prayer allowed. Time granted till 30.3.04 for rejoinder as last chance.

Registrar

Rejoinder not filed.

RegistrarM  
29/3/04Order dt. 30.3.04

Learned counsel for the applicant prays for further 02 weeks time to file rejoinder. Heard. Counter has been filed. Counter has been filed on 19.1.2004 after service of copy. Time was granted on 23.2.04 and 15.3.04 to file rejoinder. But no rejoinder has been filed. No further time filed. No further time granted. Hence, prayer is rejected. Proceedings are therefore deemed to be completed.

List this matter before Single Bench on 7.4.04 for final hearing.

Registrar

For adjournment and hearing.

M  
6/4/04Branch

For adjournment and hearing.

M  
26/4/04Branch

Since a quarters has been allotted in favour of the Applicant (which is in a habitable condition) there is no reason for the Department to pay the House Rent Allowance to the Applicant; who has chosen to remain away from that quarters.

Since quarters has been allotted in favour of the Applicant; which is in a habitable condition; the prayer of the Applicant to give him the House Rent Allowance is devoid of any merit and the same is dismissed. No costs.

Manohar  
20.07.04  
(MANORANJAN MOHANTY)  
Member (Judicial)