

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No.O.A.63 of 1996

Date of Order : 3.12.1998

Present : Hon'ble Mr. Justice S.N. Mallick, Vice-Chairman.  
Hon'ble Mr. B.P. Singh, Administrative Member.

SREE DAS

Vs.

UNION OF INDIA & ORS.

For the applicant : Mr. B.K.P. Karan, counsel.

For the respondents : Mr. C. Samadder, counsel.

ORDER

S.N. Mallick, V.C.

We have heard the ld. counsel appearing for both the parties. After hearing both the ld. counsel and after perusing the materials on record and the departmental records produced before us, we are of the view that the application can be disposed of at the very stage of admission.

2. In this O.A. the applicant has prayed for a direction upon the respondent-authorities injuncting them from recovering any quarter rent from his pay with a further direction upon them to refund the amount of house rent recovered from him in respect of the quarters allotted to him and to allow him to draw house rent allowance as permissible under the rules.


3. In the reply, the stand taken by the respondent-authorities is that the applicant was never allotted a quarters for which any

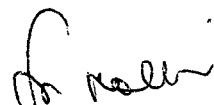
house rent was deducted from his pay.

4. The departmental records have been produced before us. With reference to the departmental records, it is submitted by Mr.C. Samadder, ld.counsel appearing for the respondents, that due to inadvertance, house rent allowance @ Rs.250/- p.m. was not given to the applicant from June, 1992 to February, 1993 and this arrear was subsequently rectified and the applicant received Rs.2250/- towards this arrear house rent allowance on 19.8.1994 as per acquaintance roll produced before us. It appears therefrom that the applicant received the said amount on the said date after putting his LTI.

5. Admittedly, the applicant is now enjoying the house rent allowance <sup>at the revised rate</sup> and there is no basis of his claim that quarter rent was recovered from him. As there is nothing to show that such quarter was allotted, we are of the view that the application is devoid of any merit and does not require any consideration.

6. The application is dismissed. No order is made as to costs.

  
(B.P. Singh)  
Administrative Member

  
(S.N. Mallick)  
Vice-Chairman