

25

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR.

Date of Order: 21.8.1995.

OA No.307/95

Vidya Ram ... Applicant.

V-ersus

Union of India & Ors. Respondents.

Mr. Y.K. Sharma, Counsel for the Applicant.

CCRAM :

Hon'ble Mr. N.K. Verma, Administrative Member.

...

BY THE COURT :

Heard Shri Y.K. Sharma, learned Counsel for the applicant in connection with the OA filed against recovery of Rs.1,254/- per month from the applicant's salary with effect from February, 1995 due to his unauthorised occupation of the Railway quarter. There is no order directing this recovery towards salary and yet the recoveries are being effected. The applicant had made representation to the Chief Administrative Officer (Construction) in July, 1994, followed by reminders in January, 1995 and March, 1995, requesting the competent authority for the permission to retain the quarter on normal rate. In the representation dated 6.3.1995 (Annexure A/3) a reference has been made to the Dy. CE (C) about the letter dated 17.2.1995 under which a penal rent of Rs.1140/- per month was indicated. The applicant has also annexed an office

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note dated 26.9.94 from the CE (C) to the Deputy CE (C), Jaisalmer saying that the transfer of the applicant should be treated as on temporary transfer. However, none of these having taken into consideration while effecting recovery.

2. The application at the present juncture is premature in view of the fact that the applicant still has an opportunity of representing his case to the Competent Authority higher to the Chief Administrative Officer (C), Northern Railway, Kashmiri Gate, Delhi, who will ~~do~~ take into ~~account~~ the position indicated by the CE. Moreover the cause of action arose at Muradabad where the applicant was posted prior to his temporary transfer to Jaisalmer.

It was also brought to my notice that the applicant has since been retransferred to his old station of posting i.e. Muradabad. In view of this the Tribunal at Jodhpur does not have territorial jurisdiction in the matter.

3. The QA is disposed of with the direction to the applicant that the representation in the matter will be filed with the appropriate authorities who shall dispose of the same within two months after the representation is received.

4. Extra sets of the QA will be handed over to the learned counsel for the applicant for passing the same ^{to} on the respondents.

N.K. Verma

(N.K. VERMA)
MEMBER (A)