

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.474/93

DATE OF DECISION: 16.9.1993

K.C.Stephen .. Applicant

Mr.M.Girijavallabhan .. Advocate for the Applicant

vs.

1. The Union of India, represented by the Secretary, Min. of Defence, New Delhi.
2. The Garrison Engineer(Cochin Area) (B & R) I, Military Engineering Service, Naval Base, Cochin-682 004.
3. The Flag Officer Commanding-in-Chief, Headquarters ,Southern Naval Command, ..Respondents

Mr.C.C.Thomas .. Advocate for the Respondents

CORAM:

THE HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

JUDGMENT

Applicant challenges Annexure A2 order by which the rent paid by him @ Rs.61/ per month for his residential accommodation was enhanced to Rs.465/- per month, and recovery ordered at the rate of Rs.3202/- per month.

2. On transfer from Delhi to Cochin, applicant was allotted residential accommodation and he was to pay Rs.61/- as monthly rent. That was raised to Rs.465/- per month consequent on a revision of rates, evidenced by Exbt.R.2. Exbt.R2 states that the rates prescribed therein, will not apply to 'substandard accommodation'. Be that as it may, it is stated in paragraph 6 of the reply statement, that a Board has been constituted to examine the grievances of applicant and to refix rent, if necessary. That process may be continued and completed. Till such time, recovery will be

made only @ Rs.250/- per mensem. It is unrealistic to recover Rs.3202/- per month from a person whose basic salary is only Rs.3200/-. Such exercises do not behove those who undertake it, nor do they benefit those who are subjected it.

3. Application is disposed of with the above directions.

No costs.

Dated the 16th day of September, 1993.

Chettur Sankaran

CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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List of Annexures.

1. Annexure.A2 .. Bill No.1521 dated 6.8.92 enhancing the licence fee.
2. Exbt.R.2 .. Sena Mukhyalaya letter No. 96546/pol/E2(WPC) dated 6th May, 1992 to E-in-Cs.