

(9)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY-1
CAMP: NAGPUR

QA NO. 661/87

Dr. Madhu Kherdey, IPS
167 Pande layout
Khamla
Nagpur 440025

..Applicant

V/s.

Accounts Officer(Gaz. Estt.Section)
Office of Director of Accounts (Postal)
Nagpur 440001

.. Respondents

Coram: Hon.Shri Justice M.S.Deshpande, V.C.
Hon.Shri M Y Priolkar, Member (A)

APPEARANCE:

Applicant in person

Mr. M G Bhangade,
counsel for the respondents

ORAL JUDGMENT:

(Per: M Y Priolkar, Member (A))

DATED: 21.7.93

The grievance of the applicant who is a Senior Superintendent of Post offices is that he has not been paid House Rent Allowance (HRA) for the period from 30.6.86 to 28.2.87 totalling Rs.2400 which he claims was admissible to him under Government of India, Ministry of Finance OM dated 27.11.1965, as subsequently amended.

2. A preliminary objection was taken on behalf of the Respondent that the applicant in this Original Application No. 661/87 has not made Union of India as party respondent although it was a necessary party. Accounts Officer (Gaz. Estt. Section), Office of Director of Accounts (Postal), Nagpur is the only respondent in the application and he had stated that he is not a competent authority to grant any such relief. It is the case of the applicant also that he had submitted a number of representations against the Accounts Officer's decision of not paying him the HRA for the relevant period

to the superior authorities, but there was no response from any of the superior authorities. In fact, the respondent, namely the Accounts Officer, had taken this preliminary objection in his written reply filed in April 1988 itself, but the applicant has not chosen so far to implead the Union of India as a party respondent in this application. We do not think it necessary to permit the applicant at this late stage to implead the proper parties.

3. The application, therefore, fails on this preliminary ground itself. We do not consider it necessary to go into the merits of the claim and dismiss the application purely on the ground of non-joining of the necessary party. No order as to costs.



(M Y Priolkar)
M(A)



(M.S. Deshpande)
V.C.