

(9)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 238/88

Transfer Application No: XXXXX

DATE OF DECISION 5-8-93

J.B.Chavan Petitioner

Shri D.V.Gangal Advocate for the Petitioners

Versus

Union of India Through Respondent
Collector of Custom, New Custom House,
Bombay and Ors.

Shri A.I.Bhatkar for Advocate for the Respondent(s)
Shri M.I.Sethna

CORAM:

The Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman

The Hon'ble Shri Ms. Usha Savara, Member(A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?


(M.S.Deshpande)
Vice-Chairman

NS/

(10)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. 238/88

Shri J.B.Chavan

..

Applicant

vs

Union of India
Through Collector of
Custom, New Custom House,
Bombay and Ors.

..

Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman
Hon'ble Ms.Usha Savara, Member(A)

Appearance:

Shri D.V.Gangal for the
applicant.

Shri A.I.Bhatkar for
Mr. M.I.Sethana for the
respondents.

Dated: 5-8-93

Oral Judgement

(Per: Hon'ble Mr.Justice M.S.Deshpande)

The only point which arises for consideration in this application is whether the recovery of Rs.6,968/- could have been ordered for the period from 16.2.84 to 15.3.85 in respect of outstanding arrears. The charge against applicant was he had sub-let the quarter of which he was in his occupation to one Shri Maitra. According to the applicant he had taken permission to accommodate Shri Maitra on sharing basis. The respondents contended that when the show cause notice was given to the applicant in Feb.1985 the applicant by his reply dated 1-10-85 admitted the charge that he had given the quarter to Shri Maitra. In view of the letter dated 1-3-85 which was produced before us, ^{abhaant} it is abundant that there was material for justifying the inference that the applicant had sub-let the quarter. Since there was sub-letting of the premises by the applicant the respondent was justified in demanding the rent from the applicant.

(11)

In the result we see no merit in the application and since dismissed. No order as to costs.

U. Savara
(Ms. Usha Savara)
Member(A)

M.S. Deshpande
(M.S. Deshpande)
Vice-Chairman

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