

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 213/93.

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DATE OF DECISION: AUGUST 24, 1994.

Shri K. Balakrishna Nambiar, Petitioner

Shri Y. R. Singh, Advocate for the Petitioners

Versus

Union Of India & Another, Respondent


Shri A. L. Kasture, Advocate for the Respondent(s)

CORAM :

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

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1. To be referred to the Reporter or not ? NO
2. Whether it needs to be circulated to other Benches of the Tribunal ? NO


(M. S. DESHPANDE)
VICE-CHAIRMAN.

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BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A. NO.: 213/93.

Shri K. Balakrishna Nambiar ... Applicant.

Versus

Union Of India & Another ... Respondents.

CORAM :

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

APPEARANCE :

1. Shri Y. R. Singh,
Counsel for the applicant.
2. Shri A. L. Kasture,
Counsel for the respondents.

ORAL JUDGEMENT :

DATED : AUGUST 24, 1994.


¶ Per. Shri M. S. Deshpande, Vice-Chairman ¶.

1. The only question which arises for consideration in the present case is whether it was permissible for the respondents to deduct the arrears of rent amounting to Rs. 19,494.00 from the amount of D.C.R.G. Rs. 23,888/- payable to the applicant by virtue of his superannuation on 30.09.1989.

2. The Question is no longer res integra in view of the decision of the Full Bench of this Tribunal in Wazir Chand V/s. Union Of India. & Others [Full Bench Judgement of C.A.T. (1989-91)] Vol.II Pg. 287. It is clearly laid down

down that these two amounts cannot be linked.
The action of the respondents cannot therefore
be supported. In the result, it is directed that
that respondents shall pay to the applicant the
amount of Rs. 23,888.00 with interest @ 7% per annum
from 30.12.1989 for a period of 9 months and thereafter
interest @ 10% per annum until realisation, within
three months from the date of communication of this
order to the respondents.

3. The O.A. is disposed of with no order as
to costs.


(M. S. DESHPANDE)
VICE - CHAIRMAN.

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*This order stayed
by the order
dated 21-1-95*