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Dt. of order: 4.5.1994

: Applicant

Vs .

: Respondents

: Counsel for respondents

CORAM:

Hon'ble Mr.Gopal Krishna, Member(Judl.)

Hon'ble Mr.O.P.Sharma, Member(Adm.).

PER HON' BLE MR. GOPAL KRISHNA, MEMBER (JUDL.).

Applicant Association in this application under Sec.19 of the Administrative Tribunals Act, 1985, ('the Act', for short) has prayed for the following reliefs:


- "(i) it may be declared that Kota was a B-2 City in the year 1984 and continues to be so;
- (ii) the members of the applicant-Association who were posted in Kota in the year 1984 are entitled to get House Rent Allowance and Compensatory City Allowance as per the Government order with respect to B-2 cities and as revised from time to time and they are also entitled to get the arrears from the date when the Kota is being declared as B-2 City alongwith interest thereon @ 12% per annum;
- (iii) any other appropriate relief(s) which this Hon'ble Tribunal deems just and proper in the facts and circumstances of the case may kindly be passed in favour of the applicant;
- (iv) application of the applicant may kindly be allowed with costs."

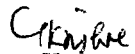
2. None is present for the applicant. None was present for the applicant on the last occasion. We have heard Shri S.S. Hasan, ~~My Dear Departmental representative~~ on behalf of the respondents.

3. The present application is in respect of seeking a formal declaration that Kota had attained the requisite standard way back in 1984 so as to declare it as B-2 City and as a consequence thereof the members of the applicant Association are entitled to get House Rent Allowance and Compensatory City Allowance as per the Rules at the revised rate. The sine-qua-non for awarding House Rent Allowance and Compensatory City Allowance, is the declaration of Kota City as B-2 City. Examining the status of a particular city and giving a particular category to it does

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not fall within the ambit of a service matter as defined in Sec.3(q) of the Act. This Tribunal has therefore no jurisdiction to entertain this petition. It is, therefore, dismissed with no order as to costs.


(O.P. Sharma)
Member(A).


(Gopal Krishna)
Member(J).