

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ; HYDERABAD BENCH
AT HYDERABAD

O.A.No.711/96

Date of Order: 18.6.96

BETWEEN:

M.A.Rasheed

.. Applicant.

A N D

1. The Director General,
Indian Council for Agriculture
Research, Krishi Bhavan,
New Delhi.
2. The Director,
Central Research Institute for Dry
Land Agriculture, Santosh Nagar,
Saidabad P.O., Hyderabad - 59.
3. The Senior Administrative Officer,
CRIDA Office, Santhosh Nagar,
P.O. Saidabad, Rangareddy District (A.P.)
Hyderabad - 59.

.. Respondents.

Counsel for the Applicant

.. Mr.V.Venkateswara

Counsel for the Respondents

.. Mr.N.R.Devraj

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CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

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JUDGMENT

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

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The applicant in this OA while working as T-5 Technical Officer in the Gunegal Research Farm of Central Research Institute for Dry Land Agriculture under R2 was suspended w.e.f. 10.3.94. A charge memo was issued and the enquiry proceedings was completed and on the basis of that enquiry proceedings he was compulsorily retired from service from 19.2.96 vide letter No.Inq/2/94. It is stated that a retired official whether on the basis of the superannuat. or otherwise can retain the ~~government~~ house only for a period of 4 months from the date of retirement paying the

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standard rent. He was given a notice dated 24.4.96 asking him to vacate the quarter No.C-2 allotted to him by 18.6.96 positively and handedover the keys to the caretaker. The applicant submitted a representation dated 24.4.96 (A-3) addressed to B2 stating that he did not get any pensionary benefits and hence he is not in a position to vacate the quarter as he does not have enough source to rentout the quarter outside. The applicant's counsel further stated that the applicant is having a big family and without any financial assistance by way of final settlement dues he is not in a position to vacate the quarter and take a private accomodation on rent.

3. When the case came up for admission hearing I enquired from the learned standing counsel in regard to the payment of final settlement especially the payment of provisional pension, if final settlement cannot be ^{done} ~~be~~ due to pending appeal against the compulsory retirement. The learned standing counsel after checkingup from the respondents submitted that the applicant had submitted the final settlement papers only by the end of April 1996 and action is on hand for paying him final settlement dues shortly and this process will take atleast 3 more weeks for completion from today. In view of the above submission there is no need for any order in regard to the payment of pension and other benefits. As the respondents themselves have seized of the problem for payment of final settlement they will act in accordance with law within 3 weeks from today.

4. The second issue is in regard to the vacation of the quarter C-2 occupied by him presently. As stated earlier the applicant is entitled for the retention of the quarter at the prescribed rent only for 4 months from the date of his retirement. But there is substance in his argument that as

he is not getting any final settlement dues he is not in a position to search for a private accomodation and as he is having a big family he has to be given final settlement dues before taking steps for evicting him from the government accomodation.

5. In view of the submission that as the respondents are scrutinising the pension papers and that process is to be completed 3 weeks time from today, the applicant should vacate the quarter in 2 months time after the passing of the bill for full final settlement dues or atleast the provisional pension payment order. It is also made clear that he should pay the damage rent after the expiry of the 4 months period from the date of his retirement till he vacates the quarter.

6. In case the respondents waive the damage rent on the request of the applicant this judgement will not stand in ~~this~~ ^{their} way for such waival.

7. The OA is ordered accordingly. No costs.

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(R. RANGARAJAN)
Member (Admn.)

Dated: 18th June, 1996
(Dictated in Open Court)

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Dy. Registrar (J)

Contd.

O.A.NO.711/96

Copy to:

1. The Director General,
Indian Council for Agriculture
Research, Krishi Bhavan,
New Delhi.
2. The Director,
Central Research Institute for Dry
Land Agriculture, Santhoshnagar,
Saidabad P.O.,
Hyderabad.
3. The Senior Administrative Officer,
CRIDA OFFICE, Santhoshnagar,
P.O., Saidabad, Rangareddy District(A.P)
Hyderabad.
4. One copy to Mr.M.Venkateswar Rao, Advocate,
CAT, Hyderabad.
5. One copy to Mr.N.R.Devraj, Sr.CGSC,
CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One duplicate copy.

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2/4/96

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 18.6.96

ORDER/JUDGEMENT
O.A. NO. / R.A. / C.P. No.

in

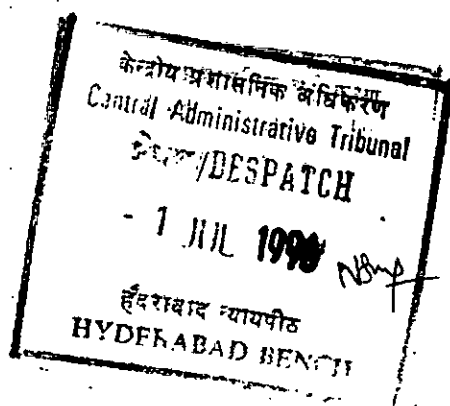
O.A. NO. 711/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED ✓
NO ORDER AS TO COSTS.

YLKR

II COURT

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