

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 20.12.1993.

OA 8/93

YASHPAL SINGH

... APPLICANT.

V/s.

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

For the Applicant

... IN PERSON.

For the Respondents

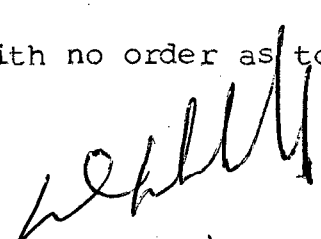
... SHRI M. RAFIQ.

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

The applicant was transferred on 15.5.91 and he resumed his duties at Ajmer on 17.5.91. The applicant submitted the application on 25.9.91. However, it is submitted by the respondents that the same was rejected on 29.10.91 and he was asked to vacate the quarter allotted to him when he was in employment. The applicant again submitted application for reconsideration, which was also rejected. A person who has been transferred cannot continue to occupy the house. It was also submitted that the applicant has again been transferred to Jaipur on 20.3.92. It will not be proper to ask the applicant to vacate the house now particularly when he has again been transferred at Jaipur.

2. In the facts and circumstances of the case, the application is partly allowed. The applicant is allowed to continue to occupy the quarter. However, he will be liable to pay double of of the market rate for the period from 27.7.91 upto the date of his rejoining here at Jaipur. In case, any excess rent has been realised, it shall be adjusted against the penal rent.

3. The OA stands disposed of accordingly, with no order as to costs.


(D.L. MEHTA)
VICE CHAIRMAN