

Central Administrative Tribunal  
Jabalpur Bench

OA No.420/1999

Jabalpur this the 31st day of October, 2003.

Hon'ble Mr. Shanker Raju, Member (J)

Hon'ble Mr. Sarveshwar Jha, Member (A)

Raisingh s/o Birosingh

Applicant

(By Advocate - None)

- Versus -

Union of India & Others

Respondents

(By Advocate Sh. M.N. Banerjee)

ORDER (ORAL)

Mr. Shanker Raju, Member (J) :

As none appeared for applicant, even on the second call, OA is disposed of in terms of Rule 15 of the Central Administrative Tribunal (Procedure) Rules, 1987.

2. Applicant in this OA has assailed non-payment of revision of pay as per Fifth Central Pay Commission's recommendations w.e.f. 1.1.1996 and refund of HRA recovered from the salary of applicant w.e.f. 15.6.1983 and also electricity charges pertaining to Quarter No.52/B upto 26.1.35 and drawal of HRA w.e.f. 26.1.1985. Applicant has also prayed for payment of DCRG, which has been withheld by respondents.

3. On the other hand, respondents in their reply contend that in so far as other retiral benefits including arrears on revision of pay are concerned the same have been paid to applicant. It is, however, contneded that as applicant had remained, after retirement on superannuation in unauthorized occupation of government accommodation the penal rent etc. would be verified, calculated and recovery thereof would be made thereafter and DCRG would be paid to applicant.

4. In this view of the matter OA is disposed of with a direction to the respondents to ascertain the damage/rent pertaining to the government accommodation for the period applicant after superannuation remained after permissible period as an unauthorized occupant and thereafter to intimate applicant and recover the same. The DCRG after such recovery shall be paid to applicant within a period of three months from the date he has been intimated about the recovery. The OA stands disposed of accordingly. No costs.

Sarveshwar Jha Mr  
(Sarveshwar Jha)  
Member (A)

S. Raju  
(Shanker Raju)  
Member (JP)

'San.'

पूर्णांकिता से अे/आ..... एवं अन्यान्य विवरण दि.....

(1) अन्यान्य विवरण के लिये विवरण का विवरण  
(2) अन्यान्य विवरण के लिये विवरण का विवरण  
(3) अन्यान्य विवरण के लिये विवरण का विवरण  
(4) अन्यान्य विवरण के लिये विवरण का विवरण

~~Received  
03/03  
6/11/03~~

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

O. A. NO. 420/1999

Raisingh, aged about 60 years,  
Retd Permanent Way Maistry  
(P W M), Bhilai Marshalling Yard,  
South Eastern Railway, Bhilai,  
R/o. G-Cabin Charoda, Tahsil-  
Patan, Distt - Durg (M.P.).

... Applicant

V e r s u s

1. Union of India, through the  
Secretary, Ministry of Railways,  
New Delhi - 110001.
2. General Manager, South Eastern  
Railway, Garden Reach, Calcutta.
3. Divisional Railway Manager, South  
Eastern Railway, Bilaspur.
4. Sr. Divisional Engineer, South  
Eastern Railway, Bilaspur.
5. Sr. Divisional Personnel Officer,  
South Eastern Railway, Bilaspur (M.P.).
6. Sr. Divisional Accounts Officer, South  
Eastern Railway, Bilaspur.
7. Asstt. Engineer, South Eastern  
Railway, Bhilai, Distt - Durg (MP). ... Respondents

Counsel :

None for the applicant.  
Shri M.N. Banerjee for the respondents.

Coram :

Hon'ble Shri R.K. Upadhyaya -- Member (Admn.).

O R D E R (Oral)  
(Passed on this the 8th day of October 2002)

NO one is present on behalf of the applicant at  
the time of hearing today. By order dated 25/09/2002, it was  
specifically mentioned that hearing for today was fixed as  
a last chance, as nobody appeared on 25/09/2002 also. Even  
earlier on 16/03/2000 also nobody appeared on behalf of the  
applicant. In the circumstances, it appears that the



applicant is no longer interested in prosecuting the O.A.,  
Therefore the same is dismissed for non-prosecution.

*(R.K. Upadhyaya)*

(R.K. UPADHYAYA)  
MEMBER (A)

प्रांतिकल सं. ओ/न्या..... जखलपुर, दि.....  
परिवर्तित नियमित दिन.....

(1) गोपनीय अधिकारी, जखलपुर, जखलपुर  
(2) गोपनीय अधिकारी, जखलपुर, जखलपुर  
(3) गोपनीय अधिकारी, जखलपुर, जखलपुर  
(4) गोपनीय अधिकारी, जखलपुर, जखलपुर

सूचना एवं आवश्यक कार्यवाही हेतु *Temporary  
Secretary*  
उप अधिकारी 9-10-02

13<sup>th</sup> Oct  
10 AM  
AM