

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.4433/2015

This is the 7th day of December, 2015

**Hon'ble Shri Justice B.P. Katakey, Member (J)
Hon'ble Shri K.N. Shrivastava, Member (A)**

Sh. Surjeet Singh (Aged 47 years)
S/o Sh. Amar Singh
Working as Warden No.738
(Now under deemed suspension)
R/o A40, Dayanand Colony,
New Delhi-110024. Applicant

(By Advocate: Mr. S.C. Luthra)

Versus

Government of NCT of Delhi, through

1. Chief Secretary,
I.P. Estate, New Delhi-2
2. Principal Secretary (Home)
I.P. Estate, New Delhi-110002
3. Director General (Prisons) (PHQ)
Near Lajwanti Garden Chowk,
New Delhi-110064. Respondents

ORDER (ORAL)

By Shri Justice B.P. Katakey, Member (J)

Heard Mr. S.C. Luthra, learned counsel appearing for the applicant.

The grievance of the applicant in the present OA is relating to non enhancement of the subsistence allowance under FR 53. According to the applicant, though the Disciplinary Authority is duty bound to consider enhancement of the subsistence allowance from 50%, subject to the fulfilment of the condition stipulated in FR 53, no consideration has been made by the disciplinary authority till date, despite submission of the representation dated 02.11.2015. Learned counsel for the applicant, therefore, submits that the OA may be disposed of directing consideration of the said representation dated 02.11.2015 for enhancement of the subsistence allowance.

Having regard to the aforementioned submission advanced and also the contention of the applicant that a representation dated 02.11.2015 though filed has not been disposed of, we dispose of the present OA directing the Disciplinary Authority, namely, the Director General Prisons to consider and disposed of the said representation of the

applicant for enhancement of the subsistence allowance, which shall be done within a month from the date of receipt of a copy of this order. Needless to say that the order passed shall be communicate to the applicant.

OA is accordingly disposed of. No costs.

(K.N. Shrivastava)
Member (A)

(Justice B.P. Katakey)
Member (J)

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