

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

O.A. No.290/00061/2019

Jodhpur, this the 09th September, 2019

Reserved on 03.09.2019

CORAM

Hon'ble Ms Archana Nigam, Administrative Member

A. K. Chug S/o Shri Madan Lal Chug, aged 48 years, by caste Chug, R/o 1045, Agarsen Nagar, Sri Ganganagar (Raj.). Presently posted under the respondent No.4 as ASP Headquarter.

.....Applicant

By Advocate : Mr M.S. Godara

Versus

- (1) Union of India through Secretary, Ministry of Communication (Department of Post), Sanchar Bhawan, New Delhi.
- (2) Chief Post Master General, Rajasthan Circle, Sardar Patel Marg, Jaipur (Rajasthan).
- (3) Post Master General, Western Region, Jodhpur (Rajasthan).
- (4) Superintendent of Post Office, Sri Ganganagar (Rajasthan).
- (5) Superintendent of Post Office, Bikaner (Rajasthan).

.....Respondents

By Advocate : Mr K.S. Yadav

ORDER

The applicant has filed the present OA under Section 19 of the Administrative Tribunals Act, 1985 for the following reliefs:-

- "(i) *That this application may kindly be allowed and application dated 17.11.2017 (Annexure-A/4) may be considered as per rules.*
- (ii) *That the respondents may be directed to make the payment of HRA to the applicant for the period from 23.09.2015 to 19.04.2017 as per prevailing rates with interest @ 6% per annum."*

2. Learned counsel for the applicant submitted that the applicant while working under the respondents was posted as Post Master under the respondent No.5 and there he joined on 23.09.2015 and started living in the accommodation other than government accommodation by paying the rent from his own pocket, as he was not allotted any Government accommodation at Bikaner. The applicant was came to know in the month of September, 2015 that he was not paid the HRA despite the fact that he was neither allotted nor occupied the Government accommodation from the department. Learned counsel for the applicant further submitted that the respondent themselves admitted that even though the post attached quarter is available at Bikaner but it is not fit for living and the same was put in the temporary category of de-quarterisation. The applicant remain posted at Bikaner upto 19.04.2017 and for this tenure at Bikaner from 23.09.2015 to 19.04.2017 he is not paid HRA. The applicant also submitted number of representations dated Nil, 08.02.2016, 14.10.2016 and 17.11.2017 (Annexure-A/1 to A/4) respectively, but of not avail.

3. Mr. M.S. Godara, learned counsel for the applicant submitted that the applicant would be satisfied if the respondents may be

directed to decide the aforesaid representations of the applicant sympathetically in a time bound manner.

4. Learned counsel for the respondents has no objection to it.

5. Considered the arguments advanced by learned counsels for the parties. Since, the representations submitted by the applicant has not yet been decided by the respondent department, and also in view of limited prayer made by the learned counsel for the applicant, I am inclined to dispose of this OA without going into the merits of the case.

6. Therefore, looking to the aforesaid facts and circumstances of the case, we direct the respondents department to decide the representations of the applicant at Annexure-A/1 to A/4 by passing reasoned and speaking order in accordance with rules in this regard, within a period of two months from the date of receipt of a certified copy of this order.

7. In terms of the above directions, OA is disposed of with no order as to costs.

[Archana Nigam]
Administrative Member

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