

(2017) 03 KAR CK 0297
In the Karnataka High Court
Case No : 2128 of 2017 (S-RES)

LT COL S S DAGAR?S/O SHRI D S DAGAR Vs UNION OF INDIA

Date of Decision : 31-03-2017

Acts Referred:

Citation : (2017) 03 KAR CK 0297

Hon'ble Judges : Subhro Kamal Mukherjee, P.S.Dinesh Kumar

Bench : DIVISION BENCH

Advocate : S S DAGAR, H JAYAKARA SHETTY

Final Decision : Dismissed

Judgement

1. Office objections are overruled.
2. The appellant is appearing in person. We take up the appeal for preliminary hearing, as prayed for by the appellant.
3. This is an appeal against the judgment and order dated March 7, 2017, dismissing a batch of writ petitions.
4. The writ petitioner is a Lieutenant Colonel of the Indian Army. Presently he is on study leave. He was holding a quarter according to his status. He was asked to vacate the quarter allotted to him in order to accommodate the new incumbent.
5. The appellant submits that he cannot be asked to vacate the allotted quarter as he is on study leave.
6. The case of the writ petitioner-appellant is

covered by the circular dated October 21, 2011, which does not permit the writ petitioner to retain the accommodation given to him prior to the commencement of the study leave. It is open to him to accept accommodation of a lower scale/type or hired accommodation on Hired on Rent Reimbursement (HRR) basis, or to stay in his own accommodation and claim for House Rent Allowance.

7. The Hon"ble Single Judge rightly dismissed the writ petition.

8. We find no merit in the appeal requiring interference. Therefore, the writ appeal is dismissed.

9. We make no order as to costs.