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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

C.P.No.177/95  
M.A.No.128/96  
O.A.No.741/94

New Delhi this the 21st day of March, 1996.

Hon'ble Shri S.R. Adige, Member (A)  
hon'ble Dr A. Vedavalli; Member (J)

Shri Chatter Singh,  
S/o Shri Tika Ram  
H.S. Fitter Gr.I, Ticket No.48,  
CWS, Delhi Division, Northern Railway,  
Tuglakabad, New Delhi. .... Petitioner

(By Advocate : Shri A.K. Bhardwaj )

VERSUS

1. Shri Vijay Kumar Aggarwal,  
General Manager,  
Northern Railway,  
Baroda House, New Delhi.
2. Shri I.P.S. Anand,  
Divisional Railway Manager,  
Northern Railway,  
DRM Office, Paharganj,  
New Delhi
3. Shri R.P. Kaushik, CWS  
Northern Railway,  
Tuglakabad,  
Delhi Division, Sickline,  
Tuglakabad, New Delhi.
4. Ram Kumar Shri Hari  
DEN Special DRM Office  
Northern Railway,  
Pathar Ganj, New Delhi. .... Contemnors/  
Respondents

(By Advocate : Shri R.L. Dhawan )

Order (Oral)

(By Hon'ble Shri S.R. Adige, Member (A) )

In this CCP bearing No.177/95 the applicant Shri Chatter Singh has alleged contumacious disobedience by the respondents of the Tribunal's judgement dated 26.4.95 in O.A. No.741/94 Shri Chatter Singh Vs Union of India & Ors, and to direct the respondents to restore electricity and water supply to Railway Quarter No. 21A Railway Colony, Tughlakabad.

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to the competent authority and his letter dated 5.5.95 (Annexure CR 12) stating that he has been allotted the quarter by the Court Order.

2. In the operative portion of that judgement the Tribunal had directed the respondents that in terms of their own notice dated 31.10.94, if no valid objection had been received to the allotment of Qr No.21A, Railway Colony, Tuglakabad to the applicant within a week of its issue then in term of that notice the respondents should allot that quarter or any other suitable quarter to the applicant within 1 month from the date of receipt of a copy of that judgement.

3. The respondents have stated in their reply that the applicant thereupon approached Respondent No.3 on 5.5.95 with a copy of the judgement of the Tribunal upon which he was informed that the said quarter had already been allotted to one Shri Ashok Kumar DSL Fitter on Medical grounds by DRM Northern Railway, New Delhi vide letter dated 24.4.95 (CR 5) , but on 5.5.95 the applicant broke open the lock of Qr No.21A Railway Colony, Tughlakabad and forcibly occupied the premises. The applicant has not filed any allotment letter allotting the said quarter to him by the competent authority and his letter dated 5.5.95 (Annexure CR 12) stating that he has been allotted the quarter by the Court Order, and he is shifting his belongings into the premises clearly supports the contention of the respondents that the applicant forcibly, occupied the premises, without getting any valid allotment letter issued by them.

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4. The judgement dated 26.4.95 was only a direction to the respondents that if no objection was received to their notice dated 31.10.94 within 1 month of its issue, to allot Qr No.21A, Railway Colony, Tughalakabad or any other suitable quarter to the applicant. It by no means could be construed as a licence to the applicant to take forceable occupation of the premises without a valid allotment letter issued by the Competent Authority.

5. In the light of this conduct of the applicant, no cause for initiating action against the respondents under the Contempt of Courts Act is made out. The CCP is dismissed and the notice against the respondents are discharged.

6. Before parting with this case we would observe that the judgement dated 26.4.95 directed the respondents to allot Qr No.21A, Railway Colony, Tughlakabad or any other suitable quarter to the applicant. In the background of ~~that~~ judgement, <sup>the</sup> respondents should allot any other suitable quarter to the applicant within a month of the receipt of a copy of this order, without prejudice to such action under law as they may choose to take against the applicant for forcible occupation of Qr.no.21A, Railway Colony, Tughalakabad.

7. No costs.

A. Vedavalli  
(Dr A. Vedavalli)  
Member (J)

K. Adige  
(S.R. Adige)  
Member (A)