

Central Administrative Tribunal
Principal Bench, New Delhi.

RA-409/94 in
OA-1045/94

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New Delhi this the 10th Day of January, 1995.

Hon'ble Mr. B.N. Dhoundiyal, Member(A)

1. Union of India,
through the General Manager,
Northern Railway,
Government of India,
Baroda House,
New Delhi-1.
2. The Divl. Superintending Engineer(Estate),
Divisional Railway Manager's Office,
Northern Railway,
New Delhi.
3. Sh. Vijay Kumar
working as Helper Khalasi,
Northern Railway,
C/o Respondent No.1.
4. Sh. Chander Pal,
working as Helper Khalasi,
Northern Railway,
C/o Respondent No.1

Review
Applicants/
respondents in
OA.

versus

1. Sh. Mohinder Pal,
S/o Sh. Hansalal,
R/o Qr.No.7/1, Railway Colony,
Sarojini Nagar, New Delhi.
2. Sh. Babbar,
S/o Sh. Mammola,
R/o Qr.No.7/1, Railway Colony,
Sarojini Nagar, New Delhi.

Respondents in
RA/applicants in
OA

ORDER(BY CIRCULATION)
delivered by Hon'ble Sh.B.N. Dhoundiyal, Member(A)

This review application has been *decided*
against the judgement of this Tribunal dated
7.10.1994.

for

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The brief facts of the case are that

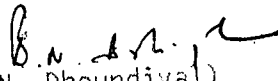
Sh. Mohinder Pal is the son-in-law of Sh. Babbar, a retired railway employee and was sharing the accommodation allotted to the latter with permission to the Railway Authorities. His request for regularising the quarter in his name was not acceded to on the ground that the rules of the Railway Board do not provide for regularisation of railway quarter on out of turn basis to son-in-law. The eviction proceedings were taken against the applicants and thereafter the applicants came to this Tribunal in O.A.No.299/93 decided on 5.11.1993. Vide judgement dated 5.11.93, the Tribunal directed the respondents not to evict the applicant from the said premises for a period of six months or regularisation/allotment of railway accommodation to Sh. Mohinder Pal, whichever is earlier. After expiry of the first six months, O.A.No.1045/94 was filed and vide judgement dated 7.10.1994 the Tribunal directed charging of normal rent and electricity charges etc. and also granted another four months to the applicants.

The review application seeks to recall of the afore-mentioned judgement on the ground that Sh. Mohinder Pal is not entitled for regularisation on out of turn basis. Though vacation proceedings having been initiated earlier and eviction order having been passed by the competent authority, it was erroneous on the part of the Tribunal to have the order that only normal rent shall be charged.

Shv

The order dated 7.10.1994 ^{by} ~~passed by~~ 12
~~this Tribunal~~ ^{by} was passed by this Tribunal after
considering all these factors particularly the fact
that the applicant was likely to be allotted a house
in near future; his seniority stood at Sl.No.437
while allotment had been made upto 400. He was
under the protection of various interim orders given
by this Tribunal. It was from this point of view
that directions for charging normal rent were given.

I do not find any error apparent on the
face of record and the review application is hereby
dismissed.


(B.N. Dhoundiyal)

Member(A)