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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

...

O.A. No.1561 of 1995

Dated New Delhi, this 1st day of March, 1996.

**HON'BLE MR K. MUTHUKUMAR, MEMBER(A)**

1. M. S. Kataria  
S/o Late Shri Sri Ram  
R/o P&T Qtr.No.17-3/B  
Kali Bari Marg  
NEW DELHI.

2. Arun Kataria  
S/o Shri M. S. Kataria  
R/o P&T Qtr.No.17-3/B  
Kali Bari Marg  
NEW DELHI-1.

... Applicants

By Advocate: Shri Sant Lal

**versus**

1. Union of India, through  
Secretary  
Ministry of Communications  
Department of Post,  
Dak Bhawan  
NEW DELHI-1.

2. The Chief Postmaster General  
Delhi Circle  
Meghdoot Bhawan  
NEW DELHI-1.

3. The Estate Officer  
O/o the Chief Postmaster General  
Delhi Circle  
Meghdoot Bhawan  
NEW DELHI-1.

... Respondents

By Advocate: Shri V. S. R. Krishna

**O R D E R (Oral)**

**Mr K. Muthukumar, M(A)**

I have heard the learned counsel for the parties.

Since the issue involved in a simple one, it is being taken up at the admission stage itself for final disposal.

The applicants had filed M.A.2092/95 for

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joining together in single application and the same was allowed.

The applicant No.1 retired as Office Superintendent in the office of the respondent No.2 on 30.4.1994. He was allotted a departmental accommodation and was allowed to retain this accommodation upto 31.12.1994 and it is stated that rents that are due on the above accommodation have been duly deposited by the applicant No.1. By the impugned order dated 24.4.1995 (Annexure A-2), the respondent No.2 had ordered the vacation by the applicant of the above premises allotted to him. The applicant No.2 had, in the meanwhile, been offered an appointment vide order dated 29.3.1994 (Annexure A-4) the temporary post of Postal Assistant and he was to be on training and on completion of the training applicant No.2 joined as Postal Assistant in October 1994. The applicant No.1 had represented to the respondent No.1 for temporary sanction of the accommodation in favour of his son in view of the fact that his son had joined the department as a postal employee.

After arguing for sometime, the learned counsel for the respondents states that in

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paragraph-1 of the counter reply, the respondents themselves have stated that till the eviction proceedings is sorted against the applicant No.1, the same was cancelled for the time being.

In the light of the above submissions, the applicants have, at present, no cause of action on the basis of the impugned order dated 24.4.1995 as the eviction proceedings have reportedly been cancelled as stated in the counter reply. However, the learned counsel for the applicant states that the representation of the applicant dtd 3.4.1995 addressed to the respondent No.1 does not appear to have received the attention and, therefore, prays that the respondents should at least be directed to consider this representation before they take any further action in regard to his present accommodation.

The learned counsel for the respondents states that there should be no difficulty in considering the aforesaid representation of the applicant even at this stage.

In the light of the above submissions, the application is disposed of with a direction to respondent No.1 to consider the representation of the applicant dated 3.4.1995 with a reasoned and

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speaking order in accordance with law within a period of two months from the date of receipt of a copy of this order.

With the above directions, the application is finally disposed of without any order as to costs.

  
(K. Muthukumar)  
Member (A)

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