

Central Administrative Tribunal  
Principal Bench, New Delhi.

(5)

O.A.No.801/95  
M.A.No.1596/95  
M.A.No.981/95

New Delhi this the 18th Day of September, 1995.

Hon'ble Shri B.K. Singh, Member(A)

1. Shri B.N. Srivastava,  
S/o late Sh. Raj Narain Srivastava,  
R/o 20/23, Railway Colony,  
Kishanganj, Delhi.

2. Miss Neeta Srivastava,  
S/o Sh. B.N. Srivastava,  
R/o 20/23, Railway Colony,  
Kishanganj, Delhi.

Applicants

(through Shri S.K. Sawhney, advocate)

versus

1. Union of India through  
General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.

2. Divl. Supdtg. Engineer(Estate),  
Northern Railway,  
D.R.M. Office,  
New Delhi.

Respondents.

(through Shri K.K. Patel, advocate)

ORDER(ORAL)  
delivered by Hon'ble Shri B.K. Singh, Member(A)

The applicant No.1 is the father of applicant No.2 who was appointed on 27.04.1963 and retired from service on attaining the age of superannuation on 31.12.93. The applicant No.2 joined Northern Railway as Booking Clerk on 09.10.1990 and she applied for sharing permission vide letter dated 16.10.1990 (Annexure A-3). The respondents have not taken any decision in regard to application at annexure A-3.

(B)

(b)

The learned counsel for the respondents states  
not  
that they have received the representation from the  
applicant. In the Full Bench Ruling dated 29.5.95  
in O.A.No.2684/93 & other O.A.s. it has been held that  
no one can claim regularisation of railway quarter as  
a matter of right. The questions raised in the Full  
Bench were (i) whether allotment of a railway quarter  
can be claimed as a matter of right? (ii) Whether ward  
of retired or retiring railway employee who was living  
in railway quarter alongwith the retiring or retired  
railway servant with the permission of the railway  
administration foregoing house rent allowance has a  
right to claim regularisation of quarter in his name?  
and (iii) Whether casual labour and substitutes with  
or without temporary status and who have not become  
regular railway employees are eligible to be considered  
for out of turn allotment on the basis of the circulars  
of the Railway Board? The answer to all these questions  
are in negative. The court held that no one is entitled  
to claim railway quarter as a matter of right. However,  
in the instant case, the matter for regularisation is  
pending with the respondents. The learned counsel for  
the respondents states that they have not received any  
representation from the applicant ~~notwithstanding~~ <sup>though the judgment</sup> ~~had~~ <sup>had decided the issue in their favor</sup>  
with the judgement of the Full Bench. The learned counsel  
for the applicant is directed to take appropriate  
decision in the matter. The representation may be  
disposed of within a period of three months from the  
date of receipt of a certified copy of this order. The  
application is disposed of finally but without any  
order as to costs.

(B.K. SINGH)  
Member(A)

/vv/