

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

D.A. 1313/96

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This the 21st day of November, 1996.

HON'BLE SHRI R.K. AHOOJA, MEMBER(A).

Balwinder Chima
S/o Sh. Avtar Singh,
R/o H. No.18-A, Rly Colony
Tuglakabad,
New Delhi.

..... Applicant.

(By Advocate Shri A.K. Bhardwaj)

Versus

1. Union of India Through
The General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Chairman(Asstt. Engineer),
Housing Committee, Northern Railway,
Delhi Division, Rly. Station,
Tuglakabad,
New Delhi.
3. The Divisional Railway Manager,
Northern Railway, Delhi Division,
DRM Office, Paharganj,
New Delhi.
4. Shri Satpal Lahot
The Chief Yard Master,
(Operation), Northern Railway,
Delhi Division, Tuglakabad,
New Delhi.
5. Shri O.P. Gupta,
Station Superintendent,
Northern Railway Tuglakabad,
New Delhi. Respondents.
(By Advocate Shri Rajeev Sharma)

ORDER(Oral)

By Hon'ble Shri R.K. Ahooja, Member(A).

The applicant is aggrieved that though
on promotion as Deputy Chief Yard Master w.e.f.
1.2.1993, ^{he} had become entitled to hold Type-IV quarter,

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the same was denied to him when house No.73-B/1 fell vacant. His grievances against the respondents is for not allotting him the Type-IV quarter as per his turn in the priority list and allotting the Type-IV quarter to the Chief Yard Master(Operating), who is already in occupation of the non-pooled category meant for him. Furthermore the quarter No.1-A, at TKD under vacation by the Chief Yard Master (Operating) meant for him has also not been allotted to the applicant but the same has been allotted to the Station Supdt. who never applied for this type of accommodation. The applicant therefore, seeks a direction to the respondents to allot him either of the quarter No.1-A, Tughlakabad or Qtr. No.73 B/1, TKD, New Delhi.

2. The respondents deny the allegations and submit that the applicant was entitled to Type-III, and that a quarter of that category was allotted to him which he refused. Other allegation of the applicant have also been denied by the respondents.

3. I have heard the counsel on both sides. Shri Bhardwaj, counsel for the applicant submits that the applicant, now officiating as Chief Yard Master(Safety) is entitled to the allotment of the quarter No.73 B/1 which is earmarked as non-pooled quarter for Chief Yard Master(Safety) and the said

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quarter cannot be allotted to another person in place of the applicant.

4. Shri Rajeev Sharma, counsel for the respondents denied this and stated that after promotion the name of the applicant was registered for better accommodation from Type-II to Type-III.

It is further stated that the applicant got the priority at Sl. No. 2 and right of the applicant in terms of seniority and entitlement would be considered as and when Govt. accommodation becomes available.

5. In the light of the above statement, the application is disposed of with a direction to the respondents that they should consider the claim of the applicant in accordance with the seniority for allotment of type-IV in the non-pooled category as per extant rules. In case accommodation for Chief Yard Master is not allotted to the entitled officer then the claim of the applicant be also accordingly considered. No costs.

RB


(R.K. HOOJA)
MEMBER (A)