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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

R.A.No.273 of 1997
(in O.A.No.699/96)

New Delhi, this the 18th day of March, 1999

Hon'ble Mr. N. Sahu, Member (Admnv)

Dr. Pranvir Singh, Divisional
Medical Officer, Health Unit
Tuglakabad, New Delhi - 110044, R/o
Q.No.48, Railway Colony, Tuglakabad,
New Delhi-44

- APPLICANT

(By Advocate Shri K.P.Dohare)

Versus

Union of India, through

1. General Manager, Northern Railway,
Baroda House, New Delhi-110001.
2. Divisional Superintendent, Estate
Entry Road, D.R.M. Office, New
Delhi-110001
3. Dr.OP Sharma, Medical Superintendent
N.Railway, Railway Main
Hospital, Delhi-110006

- RESPONDENTS

(By Advocate Shri R.L.Dhawan)

O R D E R

By Mr. N. Sahu, Member (Admnv)

This Review Application seeks a review of the order dated 28.5.1997 passed in OA 699 of 1996. By this order the OA was dismissed on the ground of resjudicata. The observations, however, made at para 4 showed a real problem faced by the applicant which has not been addressed. In the interest of justice after hearing both the counsel the RA is disposed of as under -

2. The brief facts are that the applicant was allotted the railway quarter at Tuglakabad on 1.3.1993. On 2.7.1993 she was temporarily posted at Shahdara and on 13.9.94 he was transferred to

Shahdara on regular basis. He was again posted back to Tuglakabad on 20.5.1995. The question for consideration before the respondents was as to what rent should be charged from the applicant during her posting at Shahdara from 13.9.94 to 20.5.95.

3. In the earlier OA No. 1872/93 filed by the applicant decided on 15.4.94 it was already held that as per para 8.7 of Railway Board's Circular dated 19.1.1993 the applicant can retain the quarter at normal rent during the entire period of temporary posting at Health Unit Delhi Shahdara. In OA 2238/94 filed by the applicant it was held that liability for penal rent should be reckoned only from 14.9.94. However, in the subsequent MA Nos.1586& 1826/97 in OA 2238/94 filed by the applicant decided on 3.10.97 the respondents were directed to take appropriate action in the matter.

4. As per Para 8.1 of Master Circular on "Allotment of Quarters and retention thereof on transfer, etc." a railway employee may be permitted to retain the railway quarter on transfer for a period of 2 months on normal rent and thereafter for a period of 6 months at double the rent on educational or sickness account. Further extension beyond the above period may be granted on payment of special licence fee. The respondents shall charge for the period from 13.9.94 to 20.5.95 in accordance with the above rules.

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5. The RA is disposed of with the above observations.



(N. Sahu)
Member (Admnv)

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