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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
NEW DELHI

O.A. No. 741/94 New Delhi, dated 26th April, 1995

HON'BLE MR. S.R. ADIGE, MEMBER (A)

Shri Chatter Singh,
S/o Shri Tika Ram,
HS Fitter Gr. I, Tkt. No.48,
CWS, TKD, Delhi Division (NR),
Tuglakabad, New Delhi.

(By Advocate Shri A.K. Bhardwaj) APPLICANT

VERSUS

1. Union of India through the
 General Manager,
 Northor Railway, Baroda House,
 New Delhi.
2. The Divisional Railway Manager,
 Delhi Division, Northern Railway,
 DRM Office, Paharganj, New Delhi.
3. The Carriage & Wagon Superintendent,
 Carriage & Wagon, Tuglakabad,
 Northern Railway, Delhi Div.,,
 Office of the C&W, Tuglakabad,
 New Delhi.
4. The Chair (AEN Tuglakabad),
 Area Housing Board,
 Tuglakabad,
 New Delhi-110044.

(Shri H.K. Gangwani, advocate for respondents) RESPONDENTS

JUDGEMENT (ORAL)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

In this application Shri Chatter Singh, HS Fitter Gr. I has prayed for quashing the order dated 24.12.93 (Annexure B) cancelling his priority for better accommodation/Type II Railway Accommodation; and for allotment of Quarter No. 13-B, Railway Colony, Tuglakabad or any other quarter on the Ground Floor according to his entitlement.

2. The applicant who is an occupant of Type I accommodation was recommended for Type II quarter by letter dated 27.1.83 (Annexure F) and was also allotted a Type II Quarter vide order dated 27.7.93 (Annexure M), but the quarter happens to be on the Fourth Floor. As the applicant vide Medical Certificate dt. 11.10.93 (Annexure D), apparently suffers from Bronchial Asthma had prayed on 1.8.93 that the said quarter

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would not suit him, and he was prepared to wait till a quarter on the Ground Floor or on the First Floor was made available. Subsequently by notice dt. 31.10.94 (Annexure A.1 to the rejoinder) it appears that the respondents now propose to allot him a quarter No. 21A in Railway Colony, Tuglakabad which is Type II quarter on the Ground Floor. Objections were invited within a week from the date of issue of that notice, failing which it would be assumed that there were no objections. It appears that by his letter dated 24.1.95 applicant has also conveyed his willingness to accept the said quarter.

3. Applicant's counsel Shri Bhardwaj stated that in spite of the passage of over 5 months since the issue of that notice, the quarter had still not been allotted to his client. None appeared when the case was called out and Shri Bhardwaj was heard, but later respondents counsel Shri Gangwani appeared and stated that the respondents were taking action to allot the applicant a quarter.

4. We note this statement and dispose of this OA with the direction that in terms of notice dated 31.10.94 if no valid objections have been received to the allotment of the said Qr. No. 21A, Railway Colony, Tuglakabad to the applicant, within a week ^{of} its issue, then in terms of their own notice, the respondents should allot that quarter, or any other suitable quarter to the applicant within one month from the date of receipt of a copy of this judgment.

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S.R. Adiga
(S.R. ADIGA)
Member (A)