

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00353/2020

Monday, this the 8th day of March 2021

C O R A M :

**HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER
HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER**

Fathima.A.S, aged 34 years
W/o.Manoj Sreedhar
Quarter No.C-01, BSNL Quarters
Panampilly Nagar, Kochi – 682 036
Ex-Telecom Technician (MDF)
Telephone Exchange
Palarivattom ...Applicant

(By Advocate Mr.Renjith B.Marar & Adv.Mrs.Lakshmi.N.Kaimal)

versus

1. Bharat Sanchar Nigham Limited
Represented by its Chairman and Managing Director
Corporate Office, Eastern Court Building
Janpath, New Delhi – 110 001
2. Chief General Manager
Telecom, Kerala Circle, Bharat Sanchar Nigham
Limited, Thiruvananthapuram – 695 033
3. Principal General Manager, BSNL
Ernakulam – 682 016
4. Deputy General Manager
CFA-Now, Office of PGMT, BSNL
Ernakulam – 16
5. The Assistant General Manager (Plg)
O/o.PGMT, BSNL
Ernakulam
Cochin – 16

....Respondents

(By Advocate Mr.T.C.Krishna)

This application having been heard on 8th March, 2021 through video conference, this Tribunal on the same day delivered the following :

O R D E R (O R A L)**HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER**

The applicant is aggrieved by Annexure A-1 notice issued by the first respondent directing her to evict the quarters within a span of 30 days. Hence the applicant has approached this Tribunal praying for the following reliefs:

“(I). Issue a direction or orders calling for the records leading up to Annexure A1 and quash the same.

(II). Issue a direction or orders commanding the 4th respondent to restrain from evicting the applicant from quarter No.C-01, BSNL Quarters, Panampilly Nagar, Kochi.

(III) Issue any such other direction or orders, which this Hon'ble Tribunal may deem, fit considering the facts and circumstances of the case, in the interest of justice.”

2. When the matter was taken up for consideration today, counsel for the applicant is represented by Adv.Mr.Arun Poomullil and submits that the applicant has already vacated her quarters on 1.9.2020 and the Original Application has now become infructuous. Counsel for the applicant further submits that she is ready to handover the key to the Department.

3. **The Original Application has become infructuous and we hereby order that the Original Application is dismissed as infructuous.** No costs.

**K.V.EAPEN
ADMINISTRATIVE MEMBER**

**P.MADHAVAN
JUDICIAL MEMBER**

List of Annexures

Annexure A1 - True copy of the vacation notice no.BII/144/2020-21/8 dated 27.6.2020

Annexure A2 - True copy of the the order No.DGM(EKM)/DISC/Fathima A.S/ERP/01232/2300/2020/60 dated 11.5.2020

Annexure A3 - True copy of the Appeal submitted by the applicant before the General Manager, Telecom, Ernakulam dated 11.5.2020

Annexure A4 - True copy of the order dated 30.7.2020 in W.P(C) No.15523/2020

Annexure A5 - True copy of the notification No.BSNL/6-1/SR/2011(i) dated 31.10.2011

Annexure A6 - True copy of the Modified Policy for allotment of vacant quarters to retired employees of BSNL/Dot, No.482-16/2007-BG dated 10.07.2013

Annexure A7 - True copy of the letter No.BSNL/6-1/SR/2017 dated 06.09.2018

Annexure A8 - True copy of the representation dated 16.9.2020 submitted by the applicant

Annexure R1 - True copy of the order dated 23.7.2020 of the Appellate Authority

Annexure R2 - True copy of the Notification of Directorate of Estates dated 19/6/2017

Annexure R3 - True copy of the policy for renting out surplus staff quarters of BSNL called the “AMRUT” scheme dated 6.4.2016 issued by the AGM(BG), BSNL corporate office, New Delhi

Annexure R4 - True copy of the order dated 1/12/2020 rejecting Annexure A8

Annexure R5 - True copy of the postal cover.

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