

Central Administrative Tribunal
Principal Bench, New Delhi

O.A. No. 2022/2004
M.A. No. 1742/2004

Tuesday, this the 24th day of August, 2004

Hon'ble Shri S. K. Naik, Member (A)

1. Dr. Anjula Sagar
D/o Shri Bharat Bhushan
Field Investigator
CIET, NCERT, New Delhi
R/o Type III/A/23, NCERT Flats
Naseerpur, Pappankala
New Delhi-45
2. Dr. Ranjan Kumar Biswas
s/o Late Baman Chandra Biswal
Field Investigator
CIET, NCERT, New Delhi
R/o Type III/C/45, NCERT Flats
Naseerpur, Pappankala
New Delhi-45
3. Chattar Pal Singh
Technician Grade I,
CIET, NCERT, New Delhi
R/o Type III/19, NCERT Flats
Naseerpur, Pappankala
New Delhi-45

..Applicants

(By Advocate: Shri S.N. Anand)

Versus

National Council of Educational Research & Training (NCERT)
Through the Director
Sri Aurobindo Marg
New Delhi-16

..Respondent

ORDER (ORAL)

MA- 1742/2004

MA-1742/2004 for joining together in a single petition is allowed.

OA 2022/2004

Heard the learned counsel for applicants. He has contended that as per the judgment of this Tribunal in OA-696/2004, OA-697/2004 and OA-698/2004 decided on 17.5.2004, the respondents have been directed to allow the changed accommodation on the basis of 'first come first served

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basis'. Learned counsel has contended that the respondents have themselves prepared a waiting list for changed accommodation to type III quarters from Pappankala. It contains the names of 42 persons. He contends that persons upto Sl. No. 37 have already been allowed the changed accommodation. However, when the applicants requested the respondents for allowing the changed accommodation in the main campus, as some quarters are available for allotment, the respondents have taken no action. On the contrary, he has brought to my notice that vide their minutes of the meeting held on 29.3.2004, they have referred to the matter having been agitated by some of the employees before the Tribunal, including two applicants herein and have stated that their cases will be considered only after the decision of the Tribunal. Since the decision is now available, the learned counsel states that the respondents should be directed to make the allotment on the same principle as laid down by the Tribunal.

2. Learned counsel for applicants has brought to my notice the representation dated 26.7.2004 addressed to the Secretary, NCERT vide which one of the applicants Dr. Ranjan Kumar Biswas (Applicant No.2) has enclosed a copy of the order of this Tribunal dated 17.5.2004 and has requested for allotment on the basis of the principle laid down therein.

3. When a representation has been submitted only on 26.7.2004, I am of the view that the ends of justice would be duly met if this OA is disposed of by directing the respondents, at this admission ^{stage} itself even without issuing notices to them, to consider the representation of the applicant, referred to above, keeping in view the judgment dated 17.5.2004 passed by the Tribunal and pass an appropriate speaking order within a period of one month from the date of receipt of a copy of this order. The applicants are at liberty to agitate the matter before the Tribunal, if so advised. I order accordingly.

4. With these observations, OA is disposed of.

S. K. NAIK
(S. K. NAIK)
MEMBER (A)

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