

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

OA No.407/93

Date of decision: 23.9.1993

Shri Mool Chand Singh Kardam Vs. Union of India

CORAM:

Hon'ble Shri C.J. Roy, Member (J)
For the applicant .. Shri G.D. Bhandari
For the respondents .. Shri B.N. Mani

JUDGEMENT (ORAL)
(DELIVERED BY HON'BLE SHRI C.J.ROY, MEMBER(J))

Heard both the learned counsel. They agree that this application may be disposed at the admission stage itself.

The applicant is claiming a relief that the order dated 8th January, 1993 at Annexure A-1, by which the allotment of quarter No.E-66, South (North) Colony, Moradabad in the name of the applicant stands cancelled, may be quashed, and that he may be allotted alternatively a quarter of his entitlement.

2. The applicant is a ^N ~~Singal~~ _m Inspector in Moradabad Division of the Northern Railway and has been allotted the above said quarter in which he is residing now. He wants to retain this quarter now.

3. The respondents have filed their counter more or less denying the allegations made by the applicant. The applicant has also filed a rejoinder reasserting the same points.

4. The short point involved in this case is whether the allotment of this particular quarter to the applicant is by way of permission granted to exchange from one pool to another pool. Annexure 2 says that

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"this quarter has been taken in lieu of this office non pooled railway Qr.No.E/66-6 for SI situated in North Colony, Moradabad transferred to the pool of DRM office Moradabad". It also contains the reference of I.No.W/18/Sig dated 29.12.92 but this letter is not placed before me. The learned counsel for the respondents states that he has no knowledge of this reference. The learned counsel for the applicant argues that if this letter is correct, then the allotment is in order. If the letter is not there, the applicant has no case according to the contention of the learned counsel for the respondents.

5. The learned counsel for the applicant states that if there was any dispute about the quarter, the matter should have been referred to the Area Housing Committee for giving an award.

6. I ~~do~~ therefore direct the respondents to refer this particular case to the Area Housing Committee, Moradabad for an award. Thus both the sides would have an opportunity to argue the case before the Committee in support of their claim.

7. With this direction, the OA is disposed of with no order as to costs.

(Signature)
 (C.J. ROY)
 Member (J)
 23.9.93