

(1)

In the Central Administrative Tribunal
Principal Bench: New Delhi

Regn. No. OA 807/1993

Date of decision: 16.04.1993

Smt. R. Shah

...Applicant

Versus

Union of India & Others

...Respondents

For the Applicant

...Shri B.S. Mainee, Counsel

For the Respondents

...None

CORAM:-

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE-CHAIRMAN

THE HON'BLE MR. I.K. RASGOTRA, ADMINISTRATIVE MEMBER

1. To be referred to the Reporters or not?

JUDGEMENT(ORAL)

(of the Bench delivered by Hon'ble Mr.
Justice S.K. Dhaon, Vice-Chairman)

On 12.01.1993, the Divisional Medical Officer (D&AR), Northern Railway, Central Hospital, New Delhi, passed an order removing the petitioner from service. She has preferred an appeal to the Senior Divisional Medical Officer (A&G), Northern Railway, Central Hospital, New Delhi on 12.02.93, which is still pending. By communication dated 19.02.93, the Divisional Superintending Engineer (Estate), Northern Railway, has called upon her to vacate the Government accommodation in her occupation. She has, therefore, approached this Tribunal by means of this original application.

2. It is apparent that the applicant has preferred an appeal quite recently and in the normal course the department should have waited for the decision of her
- 84

.2.

2

appeal before passing the order dated 19.02.1993. We direct the appellate authority to dispose of her appeal expeditiously. We also direct that the petitioner shall not be evicted from the Government accommodation *until the disposal of her appeal.* However, she will continue to pay the normal rent for the accommodation regularly till the disposal of the appeal.

3. With these directions this application is disposed of finally at the admission stage itself. There shall be no order as to costs.

I.K. Rasgotra
(I.K. RASGOTRA)
MEMBER (A)
16.04.1993

S.K. Dharon
(S.K. DHAON)
VICE CHAIRMAN
16.04.1993

RKS
160493