

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NUMBER 647 OF 2001

THURSDAY, THIS THE 27th DAY OF FEBRUARY, 2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.

Hari Prasad, Extension Educator,
Family Welfare, Northern Railway,
Allahabad,
r/o 696-A, Loco Colony,
Nawab Yusuf Road,
Allahabad.

....Applicant

(By Advocate : Shri S. C. Mandhyan)

V E R S U S

1. Union of India
through Ministry of Railways,
New Delhi.
2. Divisional Railway Manager,
Northern Railway,
Allahabad.
3. Chief Medical Superintendent,
Northern Railway,
Allahabad.
4. Medical Superintendent, Incharge Indoor/
Pool Holder (Medical Pool),
Northern Railway,
Allahabad.

.....Respondents

(By Advocate : Shri A.K. Gaur)

O R D E R

By this application filed under section 19 of Administrative Tribunals Act, 1985, the applicant has prayed for a direction to respondent Nos.3 & 4 to restore and maintain the priority of the applicant for allotment of better accommodation at Serial No.1 and to make the allotment of Railway Quarter No.642



.....2/-


Traffic Colony, Allahabad in his favour, whenever it falls vacant.

2. The grievance of the applicant is that though he made an application (Annexure-2) on 27.02.1986 but the name of the applicant has been shown at Serial No.5 of the priority list and persons who joined at Allahabad, subsequently^{to u} applicant, have^u been shown and given better priority. It is submitted that there is no basis for the same. Applicant's name ought to have been registered at serial No.1 on the basis of the date of the application.

3. Counsel for the respondents, on the other hand, submitted that applicant became entitled for better accommodation in 1990 and the application could be registered only thereafter. Counsel for the applicant then submitted in rejoinder that even if application is taken as valid for registration in 1990, then also applicant^{on} is entitled for being mentioned at serial No.1 in the priority list.

4. Considering the facts and circumstances and submissions of the counsel for the parties, in my opinion, the dispute can be decided in better manner by respondent No.³~~2~~ Chief Medical Superintendent, ~~S.D.O.~~^{S.D.O.}, Allahabad, on the basis facts and documents available in the office. For this purpose, applicant made representations which have been filed as Annexures-5, 6, 7 and 8. The O.A. is accordingly disposed of finally with the direction to respondent No.³~~2~~ to consider and decide the representations of the applicant within 2 months according to Rules. The order shall be reasoned and detailed order. The allotment of the quarter No.642 shall be made only after the representations of the applicant is decided.

5. There will be no order as to costs.


Vice-Chairman

shukla/-

Corrected vide
order dated
13/3/2005