

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

O.A.No.1755/92

Bal Ram Singh

:::::::

Applicant

Vs.

Union of India &  
Others

:::::::

Respondents.

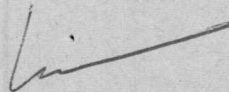
Hon. Mr. Justice U.C. Srivastava, V.C.

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant who was working as Sorting Assistant, was allotted Government Quarter No.17 in the P & T Colony, in the year 1973. Permission was granted to him to share the said accommodation with one Shri Surendra Singh, who was also employed in the Postal Department, vide order dated 26-8-83. It appears that the said Shri Surendra Singh ~~has~~ retired from service in the month of July, 1992. A complaint was received by the R.M.S. that the applicant has got his own house in the City of Varanasi and he <sup>has</sup> sub-let~~s~~ the Government Accommodation. On enquiry it was found that the said Shri Surendra Singh, who retired from service is residing in the said quarter and the applicant has got his own house in the City of Varanasi. It is thereafter vide order dated 27-11-92 the applicant's allotment order has been cancelled, against which he approached this Tribunal.

2. On behalf of the applicant it has been contended that even after the retirement Shri Surendra Singh, who was sharing the accommodation, can be allowed to continue. For that, under rule 28 of the Director General, (P. & T Manual), permission is to be granted. Admittedly no permission

has been granted to Shri Surendra Singh to share the Government accommodation after the retirement. The applicant has also constructed his own house in the City of Varanasi. In these circumstances equity is not in his favour because he has neither shifted to his own house nor he has got his quarter vacated by Shri Surendra Singh & family. In view of the fact that permission was granted to Shri Surendra Singh to share the said accommodation only upto his retirement, the applicant is granted 4 months' time either to get the quarter vacated by Shri Surendra Singh or to shift to his own house. In the event of his failure to do either of the same within a period of 4 months the cancellation order shall take effect. No order as to the costs.

  
Vice Chairman.

Dated: 6th April, 1993, Allahabad.

(tgk)