

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Original Application No: 631 of 1994

S.D.Dubey Applicant.

Versus

Union of India & ors. Respondents.

Hon'ble Mr. Justice, R.K.Varma, Vice-Chairman
Hon'ble Miss Usha Sen, Member-A

(By Hon'ble Mr. Justice, R.K.Varma, V.C.)

Shri Bashist Tewari learned counsel for the applicant. Heard on the question of admission. Learned counsel has submitted that in respect of the Railway quarter in the occupation of the petitioner, Additional District Judge, Gorakhpur has in Misc. Appeal No. 140/90 passed an order continuing the stay order dated 23.12.1993 whereby the order of the Estate Officer, North Eastern Railway dated 19.6.1990 directing eviction of the petitioner, has been stayed. Learned counsel further submits that inspite of the said stay order, the Chairman Housing Committee, Gorakhpur (Annexure A-1 to the petition) has made allotment of the quarter in occupation of the petitioner to one Shri Janardan Singh Yadav, Ticket Collector, Respondent No. 3. Learned counsel for the petitioner has prayed for the relief of issuance of a direction setting aside the order dated 29.12.1993 of the Chairman Housing Committee Lucknow, respondent No. 2.

2. In the circumstances of the case, we find it just and proper to order that the petitioner

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shall obtain certified copy of the order of the Additional District Judge dated 23.12.1993 passed in M.A. No. 140/1990 and produce the same before the Chairman, Housing Committee Lucknow Division, respondent No. 2 for getting the order dated 29.12.1993 (Annexure A-1 to the petition) modified in the light of stay order. In case, the petitioner does not get the ^{relief} ~~same~~, he may then come to this Tribunal. Meanwhile, it is directed that the respondent No. 2 shall see that the petitioner is not evicted from the quarter, in his occupation. The certified copy of the stay order passed by the Appellate Authority, the Additional District Judge, shall be produced by the petitioner before the respondent No. 2 within 15 days from today.

With the direction as aforesaid, this O.A. shall stands disposed of.

Abul
Member-A

R.K. Vann
Vice-Chairman

Allahabad Dated: 22.4.94

/jw/