

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 9th day of May 2002.

QUORUM : HON. MR. RAFIQUDDIN, J.M.

O. A. No. 195 of 1999.

Raghunath Singh s/o Sri Sudama Singh a/a 49 years, Shunting Master, Northern Railway, Aligarh Junction Station.

..... Applicant.

Counsel for applicant : Sri K.N. Katiyar.

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1. Union of India through General Manager, Northern Railway, Headquarter Office, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Allahabad.
3. Senior Divisional Operating Manager, N. Railway, Allahabad.
4. Sri Ravindra Nath Srivastava, Traffic Inspector (Planning) D.R.M's Office, Northern Railway, Allahabad.
5. Sri Nihal Singh, Shunting Master under Station Superintendent, Northern Railway, Hathras Jn., Dist. Aligarh.

..... Respondents.

Counsel for respondents : Sri A.K. Gaur.

ORDER (ORAL)

BY HON. MR. RAFIQUDDIN, J.M.

The applicant Raghunath Singh, who was posted at Hathras Junction as Shunting Janadar, has been transferred vide impugned order dated 1.5.98 to Aligarh. He has filed this O.A. challenging the validity of his transfer order. The applicant further seeks a direction to the respondents not to recover the damage rent/panel rent @ Rs.1,734/- per month in respect of Railway Qr. No.9T/Block 'D' at Hathras junction, which was allotted to him.

2. I have heard Sri K.N. Katiyar for applicant and Sri A.K. Gaur for respondents.

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3. Counsel for the applicant has not pressed the relief seeking quashing of the impugned transfer order. It is, however, contended that the respondents are not justified to recover from the applicant, the damage rent in respect of the railway accommodation in question. It is contended that the respondents have allotted several quarters at Hathras junction to the outsiders and to discrimination has been ^{made} committed in respect of the applicant. It is also pointed out that the representation of the applicant has been rejected by the D.R.M. However, counsel for the respondents had denied that the same was not put up before the D.R.M.

4. After considering the facts and circumstances of the case, the O.A. is disposed of with the direction to the respondents to consider the representation of the applicant ~~and submit before D.R.M. for exemption~~ ^{Seeking exemption} from paying the damage rent. If such representation is submitted, the same will be considered and order will be passed as per extant rules within a period of three months from the date of receipt of the representation from the applicant.

No order as to costs.

Parivartan

J.M.

Asthana/
10.5.02