

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH ALLAHABAD

Original Application No. 506 of 2000.

Allahabad this the 21st day of April 2003.

Hon'ble Mr. Justice R.R.K.Trivedi, V.C.

Mahesh Chandra Gupta  
Son of Sri Bihari Lal Gupta  
Resident of Qr. No. 163-D, A.E.Nn., Colony Northern Railway,  
Varanasi.

.....Applicant.

(By Advocate : Sri S.S.Sharma)

Versus.

1. Union of India through its Secretary,  
Ministry of Railway India,  
New Delhi.
2. Senior Section Engineer (Works)  
Northern Railway,  
Varanasi.
3. Senior Section Engineer (Works)  
Northern Railway,  
Mughalsarai.
4. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.

.....Respondents.

(By Advocate : Sri G.P. Agrawal)

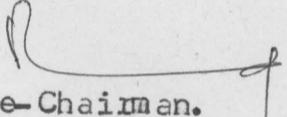
ORDER

By this O.A. filed under section 19 of Administrative Tribunals Act 1985, the applicant has challenged the order dated 01.12.1999 (Annexure 1) by which applicant was called upon to vacate the Quarter No. 163/D, Type - 2, A.E.N. Colony within fifteen days from the date of service of notice failing which the action shall be taken under PPE Act 1971. <sup>By</sup> ~~Another~~ order dated 08.02.2000 (Annexure A 2), the applicant was asked to vacate the above Quarter. It is not disputed that the applicant has retired from service on 31.08.2001 and he has vacated the Railway Quarter on 01.09.2001. In the circumstances, the O.A. has been rendered infructuous.

2. Sri S. S. Sharma learned counsel for the applicant, however, submitted that on account of these two orders, the amount of gratuity payable to the applicant on retirement has been withheld and amount of Rs.20000/- has been deducted from salary ~~on the basis of~~ damage rent. In this O.A., no relief has been sought in respect of above grievances. Hence it is not necessary to enter the facts as mentioned above. However, it is left ~~open~~ to the applicant to file representation before a Competent Authority for payment of gratuity and also ~~to~~ decide the question of damage rent within three months in accordance with law by reasoned order.

3. Subject to aforesaid, the O.A. is disposed of finally.

No order as to costs.

  
Vice-Chairman.

Manish/-