

20/10/00

Hon.Mr.S.K.I. Naqvi, J.M.

Heard, Shri A.K. Srivastava, learned counsel for the applicant and Shri Prashant Mathur, learned ~~counsel~~ addl. standing counsel who was directed to take notice of the matter and argue at admission stage.

As per applicant's case while he was posted at Robertsgangj, he was allotted railway residence no.8 A Type I, which he continued to occupy even after his transfer to Itawah and now for the unauthorised occupation of railway quarter at Robertsganj, he is being subjected to deduction of damage rent. Learned counsel for the applicant has failed to show any authority under which he could retain the quarter at the place wherefrom he has already been transferred as back as on January, 1999. There is nothing brought on record to show that he was allowed to retain the railway quarter in question beyond the permissible period. Under the circumstances, I find the relief sought for, cannot be ultimately granted to him and, therefore, the O.A. is dismissed at initial stage of hearing. ~~as~~ No order as to costs.

As requested by Shri P. Mathur, copy of this order and copy of the O.A. be furnished to him.

*Shrivastava*  
J.M.

/M.M./