

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH  
~~NEW DELHI~~

O.A. No.  
~~XXXXXX~~

495

1987

DATE OF DECISION 1.12.1989

Tarachand Navaji & Anr. Petitioner

Mr. R.R. Tripathi Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. N.S. Shevde Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.M. Singh .. .. Administrative Member

The Hon'ble Mr.

- yes 1. Whether Reporters of local papers may be allowed to see the Judgement?  
no 2. To be referred to the Reporter or not?  
yes 3. Whether their Lordships wish to see the fair copy of the Judgement?  
yes 4. Whether it needs to be circulated to other Benches of the Tribunal?

(11)

(1) Tarachand Navaji  
(2) Shri Navaji Savaji  
E/564, Room No. D, Type-I,  
Asarwa Colony No. 1,  
Ahmedabad - 380 016.  
(Advocate-Mr. R.R. Tripathi)

.. Applicants

Versus

1. Union of India, Through  
General Manager, W.Rly.,  
Churchgate, Bombay.
2. Divisional Railway Manager,  
W.Rly., Pratapnagar,  
Baroda - 4.
3. Estate Officer & Sr. DEN.III,  
W.Rly., Baroda.  
(Advocate-Mr. N.S. Shevde)

.. Respondents

CORAM : Hon'ble Mr. M.M. Singh .. Administrative Member

O.A. No. 495 of 1987

O R A L - O R D E R

Date : 1.12.1989.

Per : Hon'ble Mr. M.M. Singh .. Administrative Member

Mr. R.R. Tripathi and Mr. N.S. Shevde, the learned advocates for the applicants and respondents respectively heard. The application has no merits in terms of circular No. EP/58/0, Volume III, dated 27.5.1983 which circular <sup>h</sup>lays down two conditions for out of turn allotment, the first being that he should be in regular service and the second being that he should be sharing accomodation for a period of six months during such regular services before the retirement of the tenant to whom the accomodation had been regularly allotted by the railway administration. *Only one* None of these two conditions have been satisfied in the case of the first applicant. The application

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has therefore no merit on ground of rules, However,  
it seems from the papers that there may be some  
provisions in the rules giving discretion to higher  
railway authorities to consider such matters on  
compassionate and humanity <sup>aman h</sup> ground in exception <sup>al</sup> cases.  
The applicants can therefore make such an application  
to the concerned Railway Authorities which the Railway  
Authorities may decide within a period of three months  
from the date of the application. This order will not  
effect any further proceedings which may <sup>be h</sup> on hand in  
regard to this matter. The application is decided  
accordingly.

M M Singh

( M M Singh )  
Administrative Member

\*Mogera