

9

CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION No. 98 of 1990.

Date of decision:- 25.7.91.

Bhubanananda Barik ... Applicant.

Versus,

Union of India and Ors. ... Respondents.

For the Applicant: Mr. Sudarshan Sahoo, Advocate

For the Respondents: Mr. T. Dalai,
Addl. Standing Counsel (Central

....

CORAM:

THE HON'BLE MR. N. SENGUPTA: MEMBER (JUDICIAL)

....

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not ? No.
3. Whether their Lordships wish to see the fair copy of the Judgment ?

....

J u d g m e n t .

SENGUPTA, MEMBER (J).

This application relates to the question of allotment of the quarters.

2. The applicant's case is that he serves in the Text Book Press at Bhubaneswar and his position in the Seniority list, according to the priority date, is 26th. but instead of he being allotted a quarters, ^{is being allotted one.} one Golapmanjari Kar whose position was 62nd. The Text Book Press and the Union of India had filed a reply in counter of the averments made by the applicant and to their counter have annexed a copy of the instructions of the Government India with regard to allotment of quarters. Their case is that Golapmanjari Kar is an employee of the Text Book Press, on the death of her husband who was also an employee of the said press got out of turn allotment in accordance with the instruction ~~and~~ in that regard relating to the Text Book Press which came into force in May, 1978.

3. Only for the Respondents there has been appearance at the hearing. Mr. Dalai for the respondents has, besides ^{relying} ~~depending~~ on Annexure-A to the counter, ~~has~~ drawn my attention to the decision of the Hon'ble Supreme Court in the case of Smt. Phoolwati-versus-Union of India & Ors. reported in AIR 1991, S.C., 469. That decision fully covers the question that now arises in this case. In view of Annexure- A and the decision of the Hon'ble Supreme Court, the applicant possibly

*Sanjay
25.7.91.*

11

- 3 -

cannot have any grievance if any allotment is made in favour of Golapmanjari Kar. Apart from these two aspects, there is ^a third one, namely, even though the applicant has made specific reference to the intended allotment in favour of Golapmanjari, he has not cared to make her a party. In these circumstances the applicant cannot succeed. Accordingly the application is rejected but ^{as} at the hearing there has been no appearance, without costs


Member (Judicial). 25.7.91.

Central Administrative Tribunal
Cuttack Bench, Cuttack/I. Hossain.
25.7.91.