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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH

Original Application No. 10 of 1995

Cuttack this the 7th day of December, 1995

Niranjan Pal

...

Applicant(s)


Versus

Union of India & Others

Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? *no*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? *no*


(P.V. VENKATESH)
MEMBER (ADMINISTRATIVE)

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CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH

Original Application No. 10 of 1995

Cuttack this the 7th day of December, 1995

C O R A M:

THE HONOURABLE MR. P. V. VENKATKRISHNAN, MEMBER (ADMINISTRATIVE)

...

Niranjan Pal
S/o. Jagannath pal
Chief Parcel Clerk
Bhubaneswar

...

Applicant

By the Advocate:

M/s. Akhil Mohapatra
R.C. Sahoo
H.N. Mall

Versus

1. Union of India,
represented by General Manager,
South Eastern Railways,
Garden Reach, Calcutta-43
2. Divisional Railway Manager,
South Eastern Railways,
At/PO: Khurda Road, Dist: Khurda
3. Senior Divisional Commercial Manager
South Eastern Railways,
At/PO: Khurda Road, Dist: Khurda
4. Assistant Engineer,
South Eastern Railways,
At/PO: Bhubaneswar Railway Station
Dist: Khurda
5. Gurubari Das,
Head Goods Clerk, Bhubaneswar
Railway Station, Bhubaneswar
Dist: Khurda

...

Respondents

By the Advocate(s):

Mr. Ashok Mohanty
for Res. 1 & 3
Mr. P.C. Mohapatra
for Res. 5

...

O R D E R

MR. P. V. VENKATKRISHNAN, MEMBER (ADMN): Applicant who is a Chief

Parcel Clerk Gr. II, reported for duty at Bhubaneswar

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on 29.7.1994 and applied for allotment of quarters on 12.8.1994. Respondent 5 joined as Head Goods Clerk Bhubaneswar on 8.3.1993 and applied for allotment of quarters on 27.3.1994. From 8.11.1994, Respondent 5 was also discharging the duties of Chief Goods Clerk Supervisor. The grievance of the applicant is that Respondent 5 was allotted quarters while he was not despite he being Senior to Respondent-5. The learned counsel for the respondents state that the criterion for allotment of quarters is not mere seniority, but also essentiality as seen from Annexure-6 produced by the applicant. Respondents have furnished a list of categories of staff to be considered 'essential' for the purpose of housing vide Annexure-R/1. In this list I find Head Goods Clerk and Head Parcel Clerk listed, but not Chief Parcel Clerk Gr.II. It appears that Respondent 5 falls within the 'essential' category of staff for the purpose of housing whereas applicant does not fall under the essential category. Besides, Respondent 5 has applied for allotment of quarters prior to applicant. As pointed out by the learned counsel for the respondents, ~~the~~ question of seniority between two different categories does not arise and it would not be correct to term Respondent 5 as junior to the applicant. However, the scheme for allotment of quarters recognises a seniority of total service in Class III as a criterion for allotment of Type-II quarters for Class-III staff and total Class IV

service is ~~only~~ the criterion for allotment of Type-I quarters to Class-IV Staff. I do not find anything in the pleadings to show that applicant has a longer length of service in Class-III^g.

2. Under the circumstances I see no merit in the application. It is accordingly dismissed. No costs.

P. Venkatkrishna
(P.V. VENKATKRISHNAN)
MEMBER (ADMINISTRATIVE)

B.K. Sahoo//