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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO.456 OF 1999
Cuttack this the 27th day of 2000
July

Susama Gouda ... Applicant(s)

-VERSUS-

Union of India & Others ... Respondent(s)

(FOR INSTRUCTIONS)

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

G. NARASIMHAM
MEMBER (JUDICIAL)

Somnath Som
(SOMNATH SOM)
VICE CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO.456 OF 1999
Cuttack this the 27th day of July 2000

CORAM:

THE HON'BLE SHRI SOMNATH SOM, VICE-CHAIRMAN
AND
THE HON'BLE SHRI G.NARASIMHAM, MEMBER (JUDICIAL)

Susama Gouda, aged about 45 years,
wife of Late Kala Gour, now working
as Mazdoor (Canning) Military Engineering
Services under Garrison Engineer,
Gopalpur - at present Qr.No.P/27/02,
120 Infant Battalion,
Bhubaneswar - 1, Dist : Khurda

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Applicant

By the Advocates

M/s. B.B.Jena
D.R.Mohapatra
B.Brahmachari
S.K.Ray
S.K.Rout
S.P.Swain

-VERSUS-

1. Union of India represented through
the Station Commander, Station Head
Quarters, 120, Infant Battalion (T.A.)
Bhubaneswar-1, Dist: Khurda

2. Station Staff Officers,
120, Infant Battalion, (T.A.)
Bhubaneswar-1, District - Khurda

3. The Garrison Engineer,
Gopalpur on Sea, PO : Golabandha
P.S. Gopalpur, District - Ganjam

4. The Asst. Garrison Engineer,
B/R(u), Gopalpur, MESDET, ...
Bhubaneswar in Charge, PO/PS:
Gopalpur, District - Ganjam

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Respondents

By the Advocates

Mr.S.B. Jena
Addl. Standing Counsel
(Central)

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ORDER

MR. SOMNATH SOM, VICE-CHAIRMAN: In this Application the applicant has prayed for a direction to Res. 1 to 3 not to evict her from the quarters bearing No.T/27/02 and also quashing the orders at Annexures-3 and 5 requiring the applicant to vacate the quarters or before on 15.10.1999. Respondents have filed their counter opposing the prayer of the applicant. For the purpose of deciding this Original Application it is not necessary to go into too many facts of this case.

2. We have heard Shri B.B.Jena, learned counsel for the petitioner and Shri S.B.Jena, learned Addl. Standing Counsel for the respondents and also perused the records. It is submitted by the learned counsel that the applicant got appointment under the respondents on compassionate grounds on the death of her husband while in service and originally she occupied the quarters allotted in favour of her husband which was of higher type. Later on ^a ^{15.10.1999} in consideration of her pay scale and status she was allotted a lower type of quarters which she has been occupying bearing No. T/27/02. Subsequently the departmental authorities had cancelled the allotment of quarters in her favour and had asked her to vacate the same with effect from 15.10.1999. It is submitted by the learned counsel that against that order the applicant had appealed to the headquarters of Eastern Command, Lucknow and the Army Headquarters in their order dated 29.6.2000, copy of which has been filed by the petitioner to-day along with a Memo after serving copy thereof on the learned Addl. Standing Counsel Shri S.B. Jena, have allowed the applicant to retain the allotted Govt. accommodation. In view of this as the Army Headquarters have allowed the petitioner to continue in the Govt. accommodation allotted to her order of the local authority directing her to

vacate the quarters on or before 15.10.1999 is nolonger in force. In view of this it is ordered that petitioner should continue to remain in occupation of the quarters on the same terms and conditions under which she was occupying the quarters prior to outset of this controversy so long as the order of the Army headquarters is in force.

With the above direction this Original Application is disposed of leaving the parties to bear their own costs.

(G. NARASIMHAM)
MEMBER (JUDICIAL)

B.K.SAHOO//

(SOMDATH SOMP
VICE-CHAIRMAN
27.10.1999
V.M)