



FORM No. - 4

See Rule (12)

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

## ORDER SHEET

*Original* Application No. *748* of 2002  
Applicant(s) *J. H. Khan* Respondent(s) *Union of India & Ors*  
Advocate for Applicant(s) *Mr. S. N. Mishra - 1* Advocate for Respondent(s) *S. N. Mishra - 1*  
*R. C. Pradhan*  
*B. N. Mishra*  
*N. K. Das*

### NOTES OF THE REGISTRY

### ORDERS OF THE TRIBUNAL

#### REGISTER

*Registrar*

1. ORDER DATED 19-08-2002.

Perused the Office note. Heard

Mr. S. N. Mishra, learned Counsel for the Applicant at length. Mr. B. Dash, learned ASC for the Union of India has also been heard on behalf of the Respondents. By order dated 19-3-2002 of the Hon'ble High Court of Orissa rendered in OJC No. 1767/2002 (Annexure-7), the Applicant was directed to appear before the Estate Officer on 28th March.

*P.O.D. for Rs.50/- filed  
For Registration please*

*on memo for 19/8/02*  
*16.08.02*

*16/8/02*

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p>The copy of order dt. 19/8/02 and O.A. copy issued to all the parties by Post.</p> <p>The same copy of order issued to the counsel for both side.</p> <p>S.O.</p> <p>MY 22/8/02</p>	<p>2002 and to submit his show cause. The Estate Officer was asked by the Hon'ble High Court to give an opportunity of hearing to the Applicant and thereafter to dispose of the matter afresh on merit. On the allegation that the applicant has given the Govt. quarters (allotted to him) on sublet, a proceeding has been initiated against him under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (in short "PP (EUO) Act, 1971"). Pursuant to the order dated 19.3.2002, the Applicant, as it appears, appeared before the Estate Officer and submitted certain materials in writing; whereafter, the Estate Officer has passed an order which has been impugned in this O.A. This Tribunal is not the Appellate Authority under the aforesaid PP(EUO) Act, 1971. It appears, Applicant has got a remedy before the District Judge having local jurisdiction over the quarters in question. Therefore, the present O.A. is not maintainable and, as such, this OA is dismissed without imposing any costs.</p> <p>For the purpose of statistics, this OA be registered and a number be given, and be <sup>it</sup> recorded that this OA stands dismissed being not maintainable.</p> <p>Send copies of this order to the parties, alongwith copies of the O.A. to the Respondents.</p> <p><i>Manoranjan Mohanty</i> (MANORANJAN MOHANTY) MEMBER (JUDICIAL) 19.08.2002</p>