



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Application No. 1213 of 200 2
Applicant(s) Jaladhar Nayak Respondent(s) U.O.I.
Advocate for Applicant(s) M/S. Pravarakar Jena Advocate for Respondent(s) Ar Sahoo
S Dash

NOTES OF THE REGISTRY

JPO for Rs 50/- p.w.
Per Regn pl.
1.1.03

01.01.03

For Admn pl.
1.1.03
Bench

ORDERS OF THE TRIBUNAL

REGISTER

1.1.03
Dy. Registrar

1. ORDER DATED 2-1-2003.

Heard Mr. P. Jena, learned counsel for the Applicant and Mr. A. K. Bose, learned Senior Standing Counsel for the Union of India, on whom a copy of this Original Application has been served.

The Applicant was allotted with a quarters and the said allotment having been cancelled, the Station Director of All

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

On 21.11.03

Copy 4 under
along with copy 4
sent to the
respondent's counsel
for
both sides

9/10/03


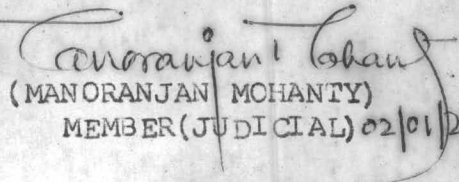
India Radio, Cuttack has asked the Applicant to give the vacant possession of the quarters in question at Auxiliary Studio Complex, Bhubaneswar within a month from the date of receipt of the said order under Annexure-7 dated 12/13-12-2002. It has clearly been mentioned in the said order under Annexure-7 that unless the Applicant gives the vacant possession of the quarters within a month from the date of receipt of the said order, the eviction proceeding for such unauthorised occupation will be started against the Applicant. Being aggrieved by this order under Annexure-7 dated 12/13-12-2002, the Applicant has filed this Original Application under Section 19 of the Administrative Tribunals Act, 1985.

Having heard the counsel for both sides, this Original Application is disposed of directing the Respondents not to evict the Applicant from the existing quarters under his occupation at Auxiliary Studio Complex, Bhubaneswar, without following due process of law. The Respondents, before evicting the Applicant from the quarters in question, should approach the appropriate forum under the Public Premises (Eviction of Unauthorised occupants) Act, 1987; where the Applicant shall have enough opportunity to convince the Estate Officer that the cancellation of the allotment of the quarters is unwarranted/bad, if and ~~xxx~~ in the event, I am sure, the Estate Officer is convinced that the cancellation

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of the allotment of the quarters in question ~~is~~/was
unwarranted, then he may drop the proceeding.

In the aforesaid premises, without making
any opinion on the merits of the case, I order
accordingly. No costs.

Send copies of this order to the Respondents
alongwith copies of the O.A. A copy of this order be
also sent to the Applicant and free copies of this
order be given to learned counsel for both sides.



(MANORANJAN MOHANTY)
MEMBER (JUDICIAL) 02/01/200