

5

O.A. No. 325/2008

ORDER DATED 22nd SEPTEMBER, 2008

Coram:

Hon'ble Mr. Justice K. Thankappan, Member (J)
Hon'ble Mr. C.R. Mohapatra, Member (A)

This Original Application has been filed by the applicant challenging Annexure-A/1 show cause notice dt. 19.06.08 and also Annexure-A/2 order dt. 14.07.08 of evicting him from the quarters No.23216/4 within a specified time. At the time of admission of this Original Application this Tribunal had directed to stop eviction of the quarters for 15 days.

2. This O.A. came up for further consideration today. We have heard Mr. L. Pradhan, Ld. Counsel for the Applicant and Mr. U.B. Mohapatra, Ld. Sr. Standing Counsel for the Respondents. The Counsel for the applicant submits that the applicant is innocent and he is not creating any problem to neighbors and this show cause notice issued to him is already replied under Annexure-A/4 and therefore the eviction order passed by the authorities may be kept in abeyance till Annexure-A/4 is considered by the authorities.

3. Mr. U.B. Mohapatra, Ld. Sr. Standing Counsel for the Respondents submits that now the matter is pending before the authorities and it is proposed to have a disciplinary

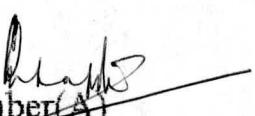


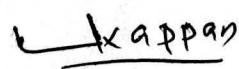
6

enquiry against the applicant. The Respondents are willing to consider the representation dt. 01.08.08 (Annexure-A/4) and to pass appropriate orders in the above matter.

4. In the above circumstances without considering the merit of the averments in the O.A and the contention of the Ld. Counsel for the applicant we are of the view that this O.A can be disposed of by directing the Respondents viz. Respondent No.2 to dispose of Annexure-A/4 representation as early as possible within 30 days from the date of receipt of copy of this Order and by directing that till a decision is taken in Annexure-A/4 the order of eviction under Annexure-A/2 shall be kept in abeyance.

5. Ordered accordingly. No order as to costs.


Member(A)


MEMBER (J)