

ORDER DATED 8th OF FEBRUARY, 2012

L.K. Pasayat Applicant

Vrs.

Union of India & Others Respondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, ADMINISTRATIVE MEMBER
&

HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER

Applicant is at present working as Private Secretary to Chief Engineer, BSNL, Bhubaneswar. He had earlier made a representation dated 12.12.2011 (Annexure-A/2 series) to Respondent No.2 for allotment of Type-III quarters, preferably in the 1st floor of CTTC, Colony, Vanivihar, *inter alia* on the grounds that his mother is 80 years old who has been advised by the Doctor to avoid stair case and that his eldest daughter is suffering from Asthma. While the matter stood thus, the applicant, vide Annexure-A/7 dated 02.02.2012 has been allotted with a type-III quarters (Block-15) in P&T Colony Vanivihar, Bhubaneswar, wherein he has been directed to take over the possession within seven days of receipt of Annexure-A/7 dated 02.02.2012.

2. It is the grievance of the applicant that vide Annexure-A/6 dated 28.01.2012, 03 Nos. of Type-III quarters at CTTC, Colony have been diverted from CTTC Pool to GMTD Pool, Bhubaneswar, which are to be allotted in favour of the incumbents in accordance with seniority. The applicant has submitted that due to old age of his mother and illness of his daughter, he would like to get the quarters No.11, Type-III, Block-2 CTTC Colony, Vanivihar, Bhubaneswar allotted in his favour. Hence, aggrieved with Annexure-A/7 dated 02.02.2012, the applicant has moved this Tribunal seeking the following relief:-

"(a) To pass appropriate orders quashing the order of allotment dated 02.02.2012 in Annexure-A/7 so far it relates to the applicant.
(b) To pass appropriate orders directing the

Respondents specifically, Respondent No.2 to consider the case of the applicant to allot the said Type-III quarters bearing No.11 in CTTC colony, Vanivihar as and when the same would be made ready for allotment;"

3. We have heard Sri B.S. Tripathy, Ld. Counsel appearing for the applicant and Sri S.B. Jena, Ld. Addl. Standing Counsel appearing for the BSNL/Respondents on whom a copy of this O.A. has already been served and perused the materials placed on record.

4. From the perusal of records, what all revealed is that the applicant's prayer of allotment of Type-III quarters at CTTC Colony has not been considered notwithstanding the fact that he has been allotted with a quarters in P&T Colony.

5. In our considered view, the ends of justice would be met if applicant's representation dated 12.12.2011 vide Annexure-A/2 series is considered and disposed of as per Rules by Respondent No.2 within a period of 10 days from the date of receipt of this order under intimation to the applicant. Till then the applicant should not be insisted to take possession of Type-III quarters at P&T Colony by virtue of Annexure-A/7 dated 02.02.2012. *Ordered accordingly.*

6. With the above observation and direction, this O.A. is disposed of at the admission stage itself. No costs.

7. Send copy of this order along with paper books to Respondent No.2 at the cost of the applicant for compliance and free copies of this order be made over to the Ld. Counsel for the parties.

8. Sri B.S. Tripathy, Ld. Counsel appearing for the applicant undertakes to deposit the postal requisite in course of the day.

Alka
JUDL. MEMBER

Shank
ADMN. MEMBER