

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

CALCUTTA

No.O.A.1369/98

Present : Hon'ble Mr. D. Purkayastha, Judicial Member

BIPULANANDA CHATTERJEE & ORS.

VS

UNION OF INDIA AND ORS.

For the applicants : Mr. B. Mukherjee, counsel

For the respondents : Mr. C. Samaddar, counsel

Heard on : 29.01.99

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ORDER

The applicants were working at Rampurhat and they were allotted quarters ~~at~~ there. Subsequently, they were declared surplus and were transferred to Pakur. Since quarters were not available at Pakur, the applicants were allowed to stay in the quarters at Rampurhat for a period of two years in terms of the letter dated 25.4.89 issued by the authority as appears from annexure-R to the reply. The grievance of the applicant is that since quarters were not available at Pakur, they were not liable to pay damage rent. According to the applicants 121 staff were declared surplus but only 15 quarters were available at Pakur. ^{↳ The persons} So, who are not allowed ^{↳ the paid} to enjoy the accommodation of quarters were ^{at Pakur, the paid normal} paid house rent allowances as per rules.

2. Mr. Samaddar appearing on behalf of the respondents submits that some of the applicants in the meantime has been transferred from Pakur to Rampurhat. ^{some of} Though the applicants

were allowed to retain quarters for a period of two years (as per letter dated 4.12.96 (annexure R to the reply), they retained the quarters after expiry of that period and that matter has been referred to the Railway Board for necessary action.

3. I have considered the submissions of ld. counsel of both the parties. Since the matter is pending for decision of the Board, I find it would be meaningless to decide the grievance of the applicant at this stage and respondents are directed to consider the representation and decide the matter within four months from the date of communication of this letter and to communicate the same to the applicants by a speaking order and to inform the applicants within one month from the date of taking decision. In the meantime, no deduction should be made from the salary as damage rent. Accordingly the application is disposed of. Liberty is given to the applicants to file a fresh application if they are aggrieved by the order.

4. No order is passed as to costs.

H. D. 21/10/99
(D. PURKAYASTHA)
MEMBER(J)

SM