

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA. 429 of 1996.
(U N L I S T E D)

Dated: 29.03.96.

Present: Hon'ble Mr. Justice A.K.Chatterjee, Vice-Chairman.
Hon'ble Mr. M.S.Mukherjee, Administrative Member.

mu/10.

AMARENDR A THAKUR & ANR.

-VS-

UNION OF INDIA & ORS.

O R D E R

This petition has been presented as unlisted motion to-day by Mr.B.R.Das, 1d.counsel, appearing with Mr.B.P.Manna, 1d.counsel, on behalf of the petitioner. None appears for the respondents.

The case will be listed for hearing regarding admission on 2.9.96. Meanwhile, the petitioner would immediately serve notice on all the respondents along with a copy of this application and annexures thereto. Respondents are directed to file reply at least a week before the next date.

Mr.Das submits that the respondent authorities had originally allotted to him a quarter No.A.13, Unit-B, Type-A/III by order dt.28.10.92. Subsequently, the authorities have cancelled the allotment of the said quarter on the ground that it had been allotted to him erroneously and he has been charged with penal rent for occupation of the same and he is being evicted from the said quarter. He further submits that before the cancellation of the quarter, he has not been allotted any alternative quarter although he is prepared to move to other quarters in which he is entitled to.

Hearing the 1d.counsel for the petitioner, we direct by way of an interim measure, that the petitioner shall apply

for allotment of the quarter before the Chairman, Quarter Committee in terms of the letter of the Divisional Railway Manager dt. 22.3.96-Annexure-A.3 to the petition. We further direct that till he is allotted an alternative quarter or till further orders from this Court, whichever is earlier, the impugned order regarding recovery of penal rent and eviction shall remain stayed.

Plain copy of this order be handed over to the 1d. counsel for the petitioner for service on all the respondents.

Mukherjee
(M. S. Mukherjee)
Member(A)

A. K. Chatterjee
(A. K. Chatterjee)
Vice-Chairman.