

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
JODHPUR BENCH, JODHPUR**

**ORIGINAL APPLICATION NO. 157 OF 2006**

**Date of Order : 27.01.2010**

**CORAM:**

**HON'BLE JUSTICE S.M.M. ALAM, JUDICIAL MEMBER**

Smt. Kamlesh Devi MES No. 195537 W/o Late Shri Rajendra Singh aged about 31 years, R/o Quarter No. 302/3 Lancer Line, Jodhpur, at present employed on the post of Female Mazdoor under AGE E/M-III Garrison Engineer (Army) Utility, Jodhpur.

....Applicant

For Applicant Mr. B.Khan, Advocate

**VERSUS**

- 1- Union of India through Secretary to the Ministry of Defence Government of India, Raksha Bhawan, New Delhi.
- 2- The Commander Works Engineer (Army), Multan Line, Jodhpur.
- 3- Garrison Engineer (Army) Utility, Multan Line, Jodhpur, C/o 56 APO.
- 4- Garrison Engineer (Army) Central, Multan Line, Jodhpur.
- 5- BSO (Army) Central, MES, Jodhpur.

...Respondents.

For Respondents Smt. Kausar Parveen, Advocate.

**ORDER (ORAL)**

This OA has been preferred by Smt. Kamlesh Devi, MES, working on the post of Female Mazdoor under AGE E/M-III Garrison Engineer(Army)Utility, Jodhpur claiming following reliefs :-

***"(i)That the impugned order Annexure A/1 dt. 17.6.2006 and Annexure A/2 30.1.2006 may be declared illegal arbitrary and without jurisdiction, the same may be quashed.***

***(ii)That the respondents may further be directed to allow the applicant to retain /continue her present accommodation No. 302/2 Type I.***

***(iii)That the respondents may further be directed to refund the amount deducted from the salary of the applicant in pursuance of impugned order Annexure A/1 and A/2 with interest.***

***(iv)Any other direction or orders may be passed in favour of the applicant which may be deemed just and proper under the facts and circumstances to this case in the interest of justice.***

***(v)The cost may also be awarded to the applicant".***

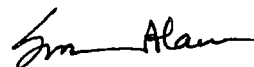
2- It has been submitted by the respondents Lawyer that so far reliefs No. 1 and 2 are concerned the same have already been granted to the applicant by the department as the

*Smt*

impugned order dated 17.6.2006 (Annex.A/1) as well as the order dated 30.01.2006 (Annex.A/2) have already been withdrawn by the authority concerned and the applicant has been permitted to continue in the quarter occupied by her. The learned Advocate of the applicant also informed the Court that both the reliefs (relief No. 1 and 2) have already been granted to the applicant and the applicant has been permitted to continue in the quarter previously occupied by her. However, the learned Advocate of the applicant submitted that so far relief No. 3 is concerned, the same has not been granted as yet. In reply to this submission, the learned Advocate of the respondents submitted that the purpose will be served by making observation that on filing representation by the applicant the authority will consider the claim of the applicant with regard to relief No. 3.

3- In view of the fact that the applicant has already been allowed by the authority concerned to continue in quarter No. 302/2 Type-I, occupied by her I am of the view that this OA has become infructuous. I am further of the view that so far relief No. 3 is concerned the purpose will be served by issuing direction to the respondents to consider the claim of the applicant if any representation is filed by the applicant in this regard within a period of one month from the date of receipt of this order and if such representation is filed, the respondents shall dispose off the same within 60 days from the date of receipt of representation.

4- With the above observation and direction this OA stands disposed of.



(Justice S.M.M. Alam)  
Judl. Member

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For Respondents Smt. Kausar Parveen, Advocate.

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दिनांक 17/12/15 के आदेशानुसार मेरी उपस्थिति के दिनांक 9/2/16 को भाग-II अर्थात् निलम्बित नष्ट ।

अनुपम अधिकारी  
केन्द्रीय प्रशासनिक अधिकरण  
जोधपुर न्यायपीठ, जोधपुर

(Justice S.M.M.Alam)  
Judl. Member

CERTIFIED TRUE COPY  
Dated 28-01-2016

*Nanau*  
अनुपम अधिकारी (न्याय)  
Section 12 (1) (b) (i)  
केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
जोधपुर न्यायपीठ, जोधपुर  
Jodhpur Bench, Jodhpur.