

Central Administrative Tribunal
Calcutta Bench

OA No.285 of 97

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

Smt. Rekhanani Bhattacharya & Anr.

Vs.

Union of India & Ors.

For the Applicant : Mr. P.C. Das, Lt. Advocate

For the Respondent : Ms. U. Sanyal, Lt. Advocate

Heard on: 24-4-98

Date of Judgement : 26/4/98

ORDER

Heard Lt. Advocates of both the parties over an application under Section 19 of Indian Administrative Tribunal Act, 1985 for direction upon the respondents to allot railway quarters in favour of applicant No.2 on compassionate ground under the Father and Son Rules out of turn basis vide application dated 14.4.86. According to the applicant, despite several representations have been made by the applicant, respondents did not take any decision in this regard. Rather, instead of taking any decision, the respondents have served eviction notice upon the applicants vide letter dated 21.2.97 (Annexure 'H' to the application). The applicants made representations to the concerned authority for allotment of his father's quarters in favour of him out of turn on the basis of the service rendered by his father in the railway department. In view of the aforesaid circumstances, I am of the view that respondents being employer, should consider the representations for giving appropriate relief as per rules as prayed for.

2. It is found that the respondents did not take any decision regarding allotment of quarters under the Father and Son Rules out

of turn as prayed for till date. Instead, the respondents started eviction ^{process} ~~procedure~~ for vacating the quarters already in possession of the applicants.

3. In view of the circumstances, I think that it is a fit case to direct the respondents to take decision regarding representation of the applicants in accordance with the rules within 4 weeks from the ^{date of} receipt of this order and the applicants be communicated the reasoned decision within one month from the date of taking decision in this regard as per order of this Tribunal. Till then respondents are restrained from taking any action in pursuance of the letter dated 21.2.97 (Annexure 'H' to the application). Accordingly, application is disposed of awarding no costs.

11.2.98
(Dr. Purkayastha)
Member (J)