

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No. 5 of 1999

Friday, this the 15th day of June, 2001

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

(By Advocate Mr. P. Ramakrishnan)

Versus

1. General Manager,
Southern Railway, Chennai.
2. The Divisional Personnel Officer,
Southern Railway, Palghat. Respondents

(By Advocate Mr. James Kurian)

The application having been heard on 15-6-2001, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

The applicant seeks the following reliefs:-

- (a) An order quashing/setting aside Annexure A4;
- (b) an order declaring that the recovery of damage rent from the applicant's salary is arbitrary and illegal;
- (c) an order directing the respondents to allow the applicant to retain her quarter 32A at Salem till the completion of her daughter's education;
- (d) an order directing the respondents to reimburse a sum of Rs.4929/- recovered from the applicant's salary for the month of November 1998;

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(e) an order directing the 1st respondent to consider and pass appropriate orders on Annexure A3, A5 and earlier representation;

(f) such other orders and directions as are deemed fit in the facts and circumstances of the case."

2. When the OA was taken up, the learned counsel appearing for the applicant submitted that it is suffice to direct the 1st respondent to consider A5 and pass appropriate orders within a time frame.

3. Though in the reply statement it is contended that the applicant did not submit any representation pursuant to A4 the impugned order the action of the respondents in recovering damage rent is fully in order, the learned counsel appearing for the respondents submitted that the respondents have no objection in directing the 1st respondent to consider A5 and pass appropriate orders.

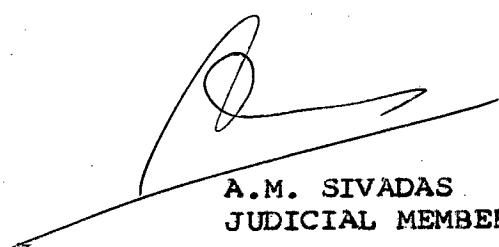
4. Accordingly, the 1st respondent is directed to consider A5 representation submitted by the applicant dated 1-11-1998 and pass appropriate orders within four months from the date of receipt of a copy of this order. The interim order dated 6-1-1999 shall continue to be in force till the disposal of A5 representation.

5. The Original Application is disposed of as above. No costs.

Friday, this the 15th day of June, 2001



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.M. SIVADAS
JUDICIAL MEMBER

ak.

List of Annexure referred to in this order:-

1. A3 True copy of representation dated 30-4-98 from the applicant to the 1st respondent.
2. A4 True copy of Letter No. J/P.554/P/Vol.II dated 14-X-1998 issued by the 2nd respondent.
3. A5 True copy of representation dated 1-11-1998 from the applicant to the 1st respondent.