

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.469/99

Thursaday this the 29th day of April, 1999
CORAM:

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN

1. M.K.Rahmath,
Trained Nursery Teacher,
Kalpeni, Union Territory of Lakshadeep.
2. U.P. Sayed Mohammed, Assistant,
Indian Counsel for Agricultural Research,
Research Complex, Minicoy,
Union Territory of Lakshadweep. ..Applicants

(By Advocate Mr.C.A.Majeed)

vs.

1. The Administrator, Union Territory of Lakshadweep,
Kavarathi.
2. Central Accommodation Board, represented by its
Chairman, Executive Engineer,
Public Works Department, Kalpeni.
3. Local Accommodation Board, Minicoy Island,
represented by its Member Secretary, Junior Engineer,
Public Works Department, Minicoy Island. ..Respondents

(By Advocate Mr. P.R.Ramachandra Menon (represented)).

The Application having been heard on 29.4.99, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN:

Applicants 1&2 are husband and wife. The first applicant is an employee of the Lakshadweep Administration and the second applicant her husband is an employee under the Indian Council of Agricultural Research(ICAR for short). ^{They} have filed this application impugning the order dated 23.3.99 of the third respondent directing that the quarter allotted to the first applicant which is now in the occupation of the second applicant on the first applicant being transferred out of the Island be vacated. It is alleged

in the application that the second applicant who is an employee under the ICAR is also entitled to be considered for allotment of quarter on par with the employees of the Lakshadweep Administration and that the second applicant had made a representation for allotment of that quarter in his name. It is also alleged that against the impugned order the second applicant has preferred an appeal (copy at A5) and that the same has not yet been considered and disposed of. The applicants pray that the impugned order be set aside declaring that the second applicant is entitled to continue in the quarter and for a direction to the third respondent to issue surrender certificate to the first applicant with effect from 6.7.98 and to permit the second applicant to occupy the quarter till the disposal of the Original Application.

2. When the application came up for hearing, learned counsel on either side agree that the application may be disposed of directing the second respondent to consider the representation (A5) submitted by the second applicant after giving him a personal hearing and dispose it of with a speaking order within a reasonable time keeping in abeyance the operation of the impugned order.

3. In the light of the submission of the learned counsel on either side, the application is disposed of directing the second respondent to consider and dispose of A5 representation giving the second applicant a personal hearing within a period of one month from the date of receipt of a copy of this

.3.

order and that the operation of the impugned order be kept in abeyance till the order on A5 is communicated to the second applicant. No order as to costs.

Dated the 29th day of April, 1999



A.V. HARIDASAN
VICE CHAIRMAN

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List of Annexure referred to in the Order:

Annexure.A5: Photo copy of the Appeal submitted by the 2nd applicant dated 5.4.99 to the 2nd respondent.

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