

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 583/92
XXXNNX

199

DATE OF DECISION 29.4.92

A. Thupran _____ Applicant (s)

Mr PS Biju _____ Advocate for the Applicant (s)

Versus
The General Manager,
Telecommunications, Calicut-1 Respondent (s)
and others.

Mr George Joseph, ACGSC _____ Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. NV Krishnan, Administrative Member

and

The Hon'ble Mr. N Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not? ✓
3. Whether their Lordships wish to see the fair copy of the Judgement? ✓
4. To be circulated to all Benches of the Tribunal? ✓

JUDGEMENT

Sh NV Krishnan, A.M

On the last occasion, we directed the respondents to file a statement. A statement has now been filed.

2 We have heard the parties.

3 The learned counsel for the applicant submits that the Annexure A1 is a waiting list for allotment of Government Quarters for the year 1991-92. The applicant's name figures at Sl.No.13 in the list. 12 persons above him have already been given quarters, either Type B or Type C. It is not disputed that there is a 10% reservation of quarters for SC/ST employees as is clear from para-3 of the respondent's statement. If that be so, out of the 12 quarters already allotted, one quarter ought to have been allotted to SC/ST. According to para-3, it is further stated that the reservation in favour of SC/ST is to be operated in the ratio of 2:1 which means

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that after giving 2 quarters to SC, one quarter will have to be given to the ST. In this view of the matter, the learned counsel for the applicant submitted that he should have been allotted a quarter. His apprehension is that the Annexure A1 list will lapse on 30.4.92 and a fresh list of waiting list will be prepared in which he may lose his seniority.

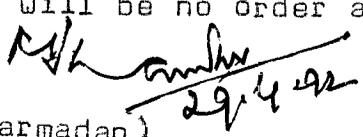
4 In so far as this apprehension is concerned, para-4 of the statement of the respondent is relevant and is produced as follows:

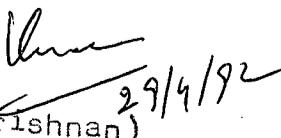
"As and when the term of the applicant comes the quarter will be allotted to him. At present, he stands first in the waiting list. Therefore, the applicant is eligible for the first vacant quarter as per the present waiting list. Respondents not denied justice to the applicant."

5 The learned counsel for the respondents further clarified in his statement that in view of the first position held by the applicant in the waiting list, he is bound to be ~~first~~ ^{first in} considered for the allotment of the next quarter which falls vacant.

6 We are, therefore, satisfied that the applicant's apprehension has no basis and he may rest assured that if any quarter to which he is eligible falls vacant, the applicant will be eligible for consideration as he is stated to be first in the waiting list. In the circumstance, we dispose of this application by directing the respondents to consider the applicant for the next vacancy to which he is eligible for allotment.

7 There will be no order as to costs.


(N. Dharmadan)
Judicial Member


(N.V. Krishnan)
Administrative Member