

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.111/05

Monday this the 21st day of February 2005

C O R A M.:

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

Joseph George,
S/o.George Joseph,
Assistant Finance & Accounts Officer,CMFRI,
Mandapam (Presently residing at Type III/4 Quarters,
CMFRI Residential Complex, Kochi). ..Applicant

-(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Director General,
Indian Council of Agricultural Research,
Krishi Bhavan, New Delhi.
2. Secretary,
Indian Council of Agricultural Research,
Krishi Bhavan, New Delhi.
3. Director,
Central Marine Fisheries Research Institute,
Post Box No.1603, North Post Office, Kochi. ...Respondents

(By Advocate Mr.Santhosh Kumar)

This application having been heard on 21st February 2005 the Tribunal on the same day delivered the following :

ORDER

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

The applicant Assistant Finance & Accounts Officer, Central Marine Fisheries Research Institute (CMFRI for short) presently posted at Mandapam is aggrieved by order dated 3.2.2005 of the 3rd respondent by which he has been immediately called upon to vacate the quarter within 15 days and also to pay the market rate of rent @ Rs.7249.50 per month from 18.3.2004. Aggrieved by the said order requesting to allow him to continue to occupy the quarter and not to recover market rate of rent the applicant has made a representation on 4.2.2005 to the 3rd respondent which is still pending. Apprehending that he would be evicted and the market rate of rent recovered from him the applicant has filed this application seeking to

set aside Annexure A-14 or for a direction to the 3rd respondent to consider Annexure A-13 representation and to give him an appropriate reply.

2. When the application came up for hearing Shri.Santhosh Kumar appeared for the respondents. Counsel on either side agree that the application may be disposed of now directing the 3rd respondent to consider Annexure A-13 representation keeping in view the relevant factors like the availability of quarters, demand by staff working in station etc. and to give the applicant an appropriate reply within a short time keeping the implementation of the impugned order pending.

3. In the light of what is stated above the application is disposed of directing the 3rd respondent to consider Annexure A-13 representation of the applicant in the light of facts, rules and instructions on the subject and to give him an appropriate reply as early as possible and that the implementation of the impugned order shall be kept pending till such an order is served on the applicant. No order as to costs.

(Dated the 21st day of February 2006)



A.V.HARIDASAN
VICE CHAIRMAN

asp