

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.12/96

Monday, this the 5th day of February, 1996.

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

R Narayanan,
Senior Bridge Khalasi,
Chief Bridge Inspector's Office,
Southern Railway, Kollam. - Applicant

By Advocate Mr Vellayani Sundara Raju

Vs.

1. Divisional Railway Manager,
Southern Railway,
Divisional Office,
Thiruvananthapuram.

2. Secretary, Housing Committee,
Southern Railway Divisional Office,
Personnel Branch,
Thiruvananthapuram.

3. Senior Divisional Engineer,
Southern Railway Divisional Office,
Thiruvananthapuram.

4. Assistant Engineer,
Southern Railway,
Kollam. - Respondents

By Advocate Mr PA Mohamed

The application having been heard on 5.2.96 the
Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant challenges an order directing him to vacate
the official accommodation in his possession. According to

him, on the basis of untrue allegations and without even a proper enquiry, he is being evicted. Respondents have a different story to tell. They submit that a brothel house is functioning in full swing in the Quarters allotted to applicant and that this information was gathered by the Railways by discreet enquiries. If applicant is to be subjected to adverse civil consequences, such cannot be on the basis of "discreet" enquiries. If an enquiry is made, it must be a full fledged enquiry where applicant gets a chance to test the correctness of the statements made against him. Both sides are agreed that an enquiry by the Divisional Personnel Officer, Thiruvananthapuram would be acceptable. The said officer will hold an enquiry, examine witnesses, afford a chance to applicant to cross examine the witnesses and then take a fair decision. He will do this as expeditiously as possible and till then applicant will be allowed to remain in the official accommodation allotted to him.

2. Application is disposed of as aforesaid. No costs.

Dated, the 5th day of February, 1996.


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN