

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.317/97

Friday this the 28th day of February, 1997.

CORAM:

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

P.Reghunath,
Senior Auditor,
Area Accounts Office(N),
Naval Base,
Cochin-4.

..Applicant

(By Advocate Mr.V.B.Unniraj)

vs.

1. The Controller General of Defence Accounts,
West Block, V.R.K.Puram, New Delhi-66.
 2. The Deputy Controller of Defence Accounts(Navy),
Naval Base, Cochin-4.
 3. Senior Accounts Officer,
Area Accounts Office, Kochi-4.
 4. The Controller of Defence Accounts(Navy),
Bombay.
 5. B.Vivekanandan,
Assistant Accounts Officer,
Defence Accounts Department,
Naval Base, Kochi-4.
- ..Respondents

(By Advocate Mr.T.P.M.Ibrahim Khan, SCGSC)

The application having been heard on 28.2.97, the Tribunal on the same day delivered the following:

ORDER

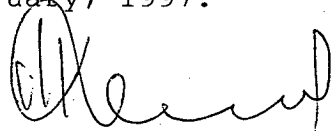
The applicant who is a Senior Auditor in the office of the 2nd respondent, was allotted a C-type quarter No.P-4-A. A Senior Auditor by name G.C.Nair approached this Tribunal challenging the correctness of the order allotting the quarter to the applicant by filing O.A.No.1088/96. The above application was allowed by the Tribunal and the applicant was R-4 in that case. In O.A.1088/96, the official respondents were directed to consider the allotment of quarter to G.C.Nair. After the disposal of the O.A.1088/96, applicant on 14.2.97 made a representation to the Dy.CDA(N), Kochi suggesting that the quarter occupied by Y.Danielkutty who has transferred to Andaman may be got evicted and allotted either to him or to the person who is entitled, allowing him to retain the quarter in question. In reply to this representation, the impugned order

dated 26.2.97(A-5) was received by him in which it was stated that his representation had been sent to R.4, that no reply has so far been received and that therefore, the applicant may immediately vacate the premises for being handed over to B.Vivekanandan, to whom the same has been allotted. The applicant has filed this application seeking the order quashed and to direct 4th respondent to consider and dispose of the Annexure A-4 representation made by him.

2. When the application came up for hearing, the learned counsel on either side suggested that the 4th respondent may be directed to consider and dispose of the representation made by the applicant(A-4) within a period of 15 days and to communicate an order thereon to the applicant allowing the applicant to retain the quarter in question till an order by 4th respondent is communicated to him.

3. In the result, in the light of what is stated by the counsel at Bar, we dispose of this application with a direction to R4 to consider the representation A4 made by the applicant and to communicate to the applicant a speaking order thereon within a period of 15 days from today and to allow the applicant to continue in quarter P-4-A till a speaking order on the representation A-4 is served on him. No costs.

Dated the 28th February, 1997.


A.V. HARIDASAN
VICE CHAIRMAN

LIST OF ANNEXURES

1. Annexure-A4: True copy of the representation dated 14.2.1997 submitted by the applicant to the 2nd respondent.
2. Annexure A5: True copy of the notice No.C/209/VI/Allot/II dt. 26.2.1997 issued by 3rd respondent to the applicant.

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