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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY

STAMP APPLICATION No. 623 OF 1989.

Shri Kachroo Bhagoo,
C/o. Shri G.S. Walia, Advocate,
89/10, Western Rly. Employees Colony,
Matunga Road,
Bombay - 400 019.

... Applicant

V/s.

Union of India, through
The General Manager,
Central Railway,
Bombay V.T.

And Others.

... Respondents

Coram: Hon'ble Vice-Chairman, Shri P.S. Shah
Hon'ble Member(A), Shri M.Y. Priolkar

Appearances:

- 1) Shri G.S. Walia, Advocate
for the applicant.
- 2) Shri J.G. Sawant, Advocate
for the respondents.

ORAL JUDGMENT:

Dated: 3.10.1989.

Mr. Walia for the applicant and Mr. J.G. Sawant for the respondents. It appears that a charge sheet dated 13.3.1989 has been served on the applicant alleging inter alia that the applicant has sub let the Government Quarter allotted to him. The applicant has submitted his reply dated 8.8.1989 denying the allegations. Admittedly the departmental inquiry has not been completed and therefore, the respondents cannot take any steps whatsoever to interrupt the petitioner's possession and enjoyment of the Government Quarter allotted to him till completion of the enquiry. The question of taking out proceedings for eviction can arise only after the departmental enquiry is completed.


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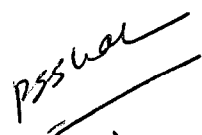
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2. It is further submitted by Mr. Walia that the respondents have cut off the electricity and water supply. It is not disputed by Mr. Sawant that the electricity and water charges are deducted from the petitioner's salary. Under the circumstances, we pass the following order:

1. The respondents are directed to forth with restore the electricity and water supply to the applicant's premises if the same has been cut by them.
2. The respondents are further restrained from evicting the applicant from the Government Quarter occupied by him or from dis-connecting the electricity or water supply except in accordance with law.
3. Order accordingly. The petition is disposed of, with no order as to costs.


(M.Y. PRIOLKAR)
MEMBER (A)


(P.S. SHAH)
VICE-CHAIRMAN

Judgment dt. 3/10/89
Send to parties on
19/10/89.


19/10/89