

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.273/2000

Thursday, this the 22nd day of June, 2000.

Coram: Hon'ble Shri Justice R.G.Vaidyanatha, Vice-Chairman,

Jagjit Singh,  
C/o. G.S.Walia,  
Advocate, High Court,  
16, Maharashtra Bhavan,  
Bora Masjid Street,  
Fort, Mumbai - 400 001.  
(By Advocate Mr.G.S.Walia)

... Applicant.

Vs.

1. Union of India, through  
General Manager,  
Western Railway,  
Headquarters Office,  
Churchgate,  
Mumbai - 400 020.
2. Divisional Railway Manager,  
Bombay Division,  
Western Railway,  
Mumbai Central,  
Mumbai - 400 008.
3. A.K.Sharma,  
S.S.E. (Auto),  
Western Railway,  
Bombay Central,  
Mumbai - 400 008.  
(By Advocate Mr.V.S.Masurkar)

...Respondents.

: O R D E R (ORAL) :

(Per Shri Justice R.G.Vaidyanatha, Vice-Chairman)

This is an application in which applicant is claiming for a direction to the respondents that he should be allotted a Type - IV Quarters in exchange of Type - II Quarters which is already allotted to him. Respondents have filed their reply opposing the application.

2. After hearing the counsels appearing for both sides, it is seen that applicant is claiming allotment of a particular type

...2.



of quarters as per his grade and scale of pay. The Housing Committee should consider the claim of all the officials for allotment of quarters as per rules. The learned counsel for the applicant submits that if the Housing Committee considers the claim of the applicant on the basis of the Rules, he will be satisfied. Hence, without expressing any opinion on the rival contentions in the pleadings, I feel that this is a fit case in which the Housing Committee should be directed to consider the claim of the applicant for allotment of Type - IV quarters as per rules.

3. In the result, the application is disposed of at the admission state with a direction to the Respondents to place the matter before the Housing Committee, which will consider the claim of the applicant and others for allotment of Type - IV quarters according to law. The interim order dt. 13.4.2000 is hereby vacated, subject to the Housing Committee deciding the question of allotment. The respondents are granted one month's time to comply with this order of the Tribunal. Needless to say that if the applicant is not allotted the quarters or he is otherwise aggrieved by the order of the respondents or the decision of the Housing Committee, he may challenge the same according to law. All contentions on merits are left open. No order as to costs.

  
(R.G. VAIDYANATHA)  
VICE-CHAIRMAN

B.