

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

O.A. Nos. 184/91, 186/91, 418/91, 419/91, 420/91,
425/91, 402/91, 412/91, 414/91, 435/91,
436/91, 437/91, 466/91 & 467/91.

1. C.B.Sathaye,
T-98, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 184/91)
2. V.M.Gujarathi,
I-91, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 186/91)
3. V.V.Joshi,
P-57, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 418/91)
4. G.B.Patankar,
P-88, P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 419/91)
5. G.L.Kanitkar,
P-85, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 420/91)
6. P.M.Vani,
I-52, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 425/91)
7. K.S.Khedekar,
P-49, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 402/91)
8. N.N.Autade,
T-134 Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 412/91)
9. P.I.Kulkarni,
P-50, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 414/91)
10. M.D.Godse,
I-01, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 435/91)
11. B.S.Shaikh,
T-27, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 436/91)
12. P.R.Patil,
T-13, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 437/91)
13. M.R.Kulkarni,
T-140, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 466/91)

14. Smt. S.R.Satpute,
T-144, Old P&T Colony,
Gultekadi, Pune 411 001. ... Applicant
(OA 467/91)

V/s

Union of India & Ors. ... Respondents

COURT : Hon'ble Vice-Chairman, Shri U.C.Srivastava

Appearances:

Mr. S.P.Kulkarni, Advocate
for the applicant and
Mr.F.M.Prachan, Advocate
for the respondents.

ORAL JUDGEMENT: Dated : 29.8.1991

(Per. U.C.Srivastava, Vice-Chairman)

In all these cases, some of which have been listed for hearing (sl.no.1 to 6) and some of which are listed for admission hearing (sl.no.7 to 14) the counsel for the parties have stated that the point involved in these applications is one and the same as such counter affidavit filed can be read in all the other applications and all can be disposed of together. Accordingly applications at Sl.No.7 to 14 are admitted and I proceed to dispose of all the applications together. Learned counsel for the applicants contended that he is challenging the action of the opposite parties in taking proceedings against the applicants under Public Premises (Eviction of Unauthorised Occupants) Act on the ground of discrimination as in respect of 13 other employees were allowed to stay in the premises. The learned counsel for the respondents produced before us a letter of the Director of Postal Services dated 21.8.91 addressed to the Estate Officer/Chief Post Master General, Maharashtra Circle, in which it has been clearly stated that out

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of those 13 occupants with whom applicants are claiming discrimination 11 have credited the amount of arrears of licence fee and have produced the receipt and that they have vacated the premises. The remaining two did not credit the arrears of licence fee and therefore their premises have been vacated from them and a panchanama has been prepared and the same has been sent. Shri F.M. Pradhan, learned counsel for the respondents also made a statement in this behalf. The learned counsel for the applicants accepted this position and said that in view of this present position it will not be possible for him to convince the court the pleas which he has raised but he prays that some reasonable time may be granted to the applicants to vacate the premises and prays that three months time may be granted to the applicants to vacate the premises. The prayer appears to be reasonable and accordingly time upto 31st December 1991 is granted to the applicants to vacate the premises. Till then the applicants shall not be evicted by the respondents. The applicants shall handover the vacant position of the premises in their possession by 31.12.1991 or any date prior to the convenience of the respondents after giving them due intimation of the date on which ~~be done~~ ^{induct} posession is to be taken. This shall not ~~be done~~ any other person in the premises in any manner and shall also clear all the dues before they vacate the premises. With these observations the applications stand disposed of finally with no order as to costs.