

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 26 JUL 1994

APPLICATION NUMBER: 768/1993

APPLICANTS:

Sri. M.M. Mariheggade and another
To.

RESPONDENTS:

Scientific Advisers to
Rakshamanthi, NDeli & others

1. Sri. P.T. Sreenivasa Reddy,
Advocate No.112, upstairs,
Cubbonpet Main Road,
Bangalore-560002.
2. Sri. M. S. Padmarajaiah,
Sr. C. G. S. C. High Court Bldg,
BANGALORE-560001

Subject:- Forwarding of copies of the Orders passed by the
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
~~STAY ORDER/INTERIM ORDER~~ passed by this Tribunal in the above
mentioned application(s) on 18-07-94

Issued on
27/7/94

B

of

for
DEPUTY REGISTRAR
JUDICIAL BRANCHES. 26/7

gm*

CENTRAL ADMINISTRATIVE TRIBUNAL,
BANGALORE BENCH.

ORIGINAL APPLICATION NO. 768/ 1993

MONDAY, THE 18TH DAY OF JULY, 1994

Shri Justice P.K. Shyamsundar ... Vice Chairman
Shri T.V. Ramanan ... Member (A)

1. M.M. Mariheggade
Medical Assistant
M.I. Room ADE
C.V. Raman Nagar
Bangalore-93.

2. Smt. B. Jayalakshmi
Medical Assistant
MI Room ADE
C.V. Raman Nagar,
Bangalore-93.

... Applicants

(By Advocate Shri P.T. Sreenivasa Reddy)

Vs.

1. Scientific Advisor
to the Ministry of Defence &
Director General (R&D)
Ministry of Defence DHP PO
New Delhi.

2. Director
Aeronautical Development
Establishment
C.V. Raman Nagar
Bangalore - 93.

3. Estate Manager
Estate Management Unit
DRDO Township
C.V. Raman Nagar Post
Bangalore - 93

... Respondents

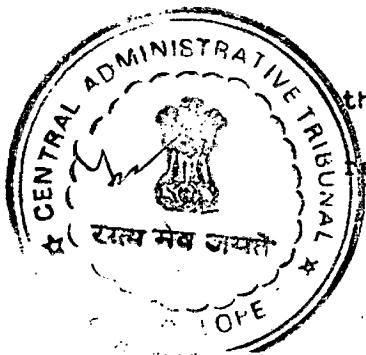
(By Advocate Shri M.S. Padmarajaiah, Central
Government Senior Standing Counsel)

ORDER

Shri T.V. Ramanan

We have heard the learned counsel for the applicants and
the learned Central Govt. Senior Standing Counsel appearing for the
respondents.

...2/-



2. This is about allotment of a higher type of accommodation to the applicants, i.e. quarters of type II. Both the applicants are in occupation of Type I quarters for about 7 - 8 years now. The grievance is that although the applicants are entitled to Type II quarters, they have not been allotted the same by the respondents. It is seen from the reply filed by the respondents that prior to May, 1992, there was 100% provision of accommodation under Key Personnel Quota for certain categories of employees in R-2's organisation including Nursing Orderlies to which category the applicants belong, although they are now designated as Nursing Attendants; that subsequently by the Allotment Rules for R&D (Common Pool) Residential Accommodation, 1992, the earlier classification for Key Personnel which kept 100% provision of accommodation was done away with. That being the position, it is pointed out by the learned Senior Standing Counsel, the applicants would be considered for allotment of Type II quarters in their turn on the basis of their seniority in the list kept for allotment of Type-II accommodation.

3. Learned counsel for the applicants brings to our notice Annexure A-14 which is an order of allotment dated 9.3.94 issued by R-3 allotting a Type III quarter under the key personnel quota to one Shri Nagarajaiah, Pharmacist, and questions the validity of the contention of the respondents that the key personnel quota stands abolished since May, 1992. He, therefore, argues that just as Shri Nagarajaiah has been allotted a Type III quarter under the key personnel quota, the applicants should also be allotted Type II quarters, to which they are entitled, under the 100% quota and in this context, he also cites the example of Smt. Rajamma, who was just immediately senior to the applicants and who was allotted a Type-II quarter only in April, 1992 under the key personnel quota.

4. The learned Central Government Senior Standing Counsel at this stage suggests that the applicants could be enabled to make separate representations to R-2 and seek allotment of Type-II accommodation under the key personnel quota under which Shri Nagarajiah, Pharmacist, has been allotted a higher type of accommodation, as in Annexure A-14. The learned counsel for the applicants sees no objection to this and we also consider that it would be appropriate if such representations were made and if they could be duly considered by Respondent No.2.

5. We, therefore, direct the applicants to make detailed representations to Respondent No.2 seeking allotment of Type-II quarters under the key personnel quota by citing the case of Shri Nagarajiah within a period of 15 days. Thereafter, the respondents may consider and dispose of the same within a period of two months from the date of receipt of such representations in accordance with the rules and the seniority for allotment.

6. With the above observations, this application finally stands disposed of. No order as to costs.

Sch-
(T.V. Ramanan)
Member (A)

Sch-
(Shri P.K. Shyamsundar)
Vice Chairman

psp.



TRUE COPY

S. Shauhar
26/7
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE