

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH 'GULESTAN' BUILDING NO:6
PRESOT ROAD, MUMBAI:1

C.P. 6/99 in
Original Application No. 1124/95

Monday the 31st day of May 1999

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

Hon'ble Shri D.S. Baweja, Member (A)

Govardhan Prasad Khushwaha

... Applicant.

By Advocate Shri G.K. Masand

V/s.

Union of India and others.

... Respondents.

By Advocate Shri V.S. Masurkar.

ORDER (ORAL)

{ Per Shri Justice R.G.Vaidyanatha, Vice Chairman }

C.P. 6/99 has been filed by the applicant alleging that the respondents have violated the order of this Tribunal dated 18.4.1996 in O.A. 1124/95 and order dated 21.6.1996 in R.P. 71/96. The respondents have filed reply opposing the Contempt Petition. We have heard the learned counsel for both sides.

2. The Tribunal by order dated 18.4.1996 while quashing the impugned order dated 8.2.1995 directed the authorities to take all consequential steps such as action to get the quarter vacated by respondent No.4 in accordance with law and to issue fresh order for the allotment of this quarter in accordance with the present policy issued by the General Manager. Then again in the Review Petition the Tribunal has observed that the respondents should consider the question of allotment of quarter on merits and in case the applicant is entitled for allotment of quarters on merits and as per seniority he should be considered. Now the applicant states that



he has not been allotted type IV quarters in spite of the order of the Tribunal.

3. According to the respondents the quarter will have to be allotted to the senior most official. Accordingly the Housing Committee allotted the vacant Type IV quarter to Shri G.R.Verma. It is also on record that Shri G.R.Verma has declined the quarter sometime in January 1999. Now we are in the end of May 1999 and the Housing Committee has not taken any decision to allot Type IV quarter to the eligible official of Electrical Wing as per the order of the Tribunal. In view of this the respondents should be directed to allot the quarter as per rules and as per the observations made in the two orders of this Tribunal dated 18.4.1996 and 21.6.1996 to the eligible officials of the Electric Wing. Since the administration has not made any fresh allotment after G.R.Verma's declining of the quarter, we feel that without taking any action under the law of contempt the respondents be directed to decide the question of allotment of the vacant quarter. Without expressing any opinion on merits, the administration is directed to allot vacant Type IV quarter to eligible officials of Electrical Wing as per the observations made in the Tribunal's order dated 18.4.1996 and 21.6.1996, within a period of six weeks from the date of receipt of this order.

4. C.P. 6/99 is disposed of subject to above observations.

Certified True Copy

Date .9.6.99.....

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(D.S. Baweja)
Member (A)

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Baw
Section Officer
Central Admin. Tribunal
Pune - 411 004

(R.G. Vaidyanatha)
Vice Chairman