

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 983/97

Date of Decision: 12.11.97.

**Shri Ramaswamy.**

Applicant.

**Shri S.M. Dharap.**

Advocate for  
Applicant.

Versus

**Secretary, Establishment of  
Railway Board, Rail Bhavan,  
New Delhi and others.**

Respondent(s)

Advocate for  
Respondent(s)

CORAM:

Hon'ble Shri. B.S. Hegde, Member (J)

Hon'ble Shri.

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?

  
(B.S. Hegde)  
Member(J)

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

Original Application No. 983/97

Wednesday the 12th day of November 1997.

CORAM: Hon'ble Shri B.S. Hegde, Member (J)

Ramaswamy  
Deputy Chief Electrical  
Engineer (RE),  
D/3- Dadar Parel Railway  
Officers Flat, Central Railway  
Dadar, Mumbai.

... Applicant

By Advocate Shri S.M. Dharap.

V/s.

Secretary,  
Establishment of Railway Board,  
Rail Bhavan, New Delhi.

General Manager,  
Central Railway,  
Bombay V.T., Bombay.

Senior Division Engineer,  
Estate Officer, Central Railway  
3rd floor, Mumbai Chatrapati Shivaji  
Terminus, Mumbai.

... Respondents

ORDER (ORAL)

¶ Per Shri B.S. Hegde, Member (J) ¶

The applicant has been transferred on 28.6.96 to Vijayawada. The applicant was in occupation of the quarter. Applicant's family is in Bombay and he has got a sister who is suffering from chronic "Schizophrenia" and "Epilepsy." and she is under the treatment of the Byculla Central Railway Hospital.

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The applicant has made representation on 7.12.96. No reply has been given by the respondents so far. In the meanwhile the applicant has again been transferred to Adhra. The applicant has joined the duty at Adhra. The applicant has sent a representation on 19.5.97 for retention of Railway quarter which has been replied by the respondents on 13.6.97 stating that the request for forwarding of application dated 19.5.97 to the Railway Board for granting extension in retention permission of Railway flat RBV/D/3 DR -PR from 1.5.97 to 31.7.97 is regretted for the reasons that medical certificates produced by the applicant in favour of wife and dependent sister are not accepted by CMD Byculla. The applicant was also directed to vacate the Railway quarter immediately.


The learned counsel for the applicant states that earlier representation made to the Railway Board has not been replied. The later representation has not been sent to the Railway Board. The General Manager(G) Electrification was also requested to recover the damage rent at the rate of Rs. 60/- per sq. metre, from 1.5.97 onwards.

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In the facts and circumstances of the case, we hereby direct the respondents to dispose of the pending representation dated 7.12.96 within a period of one month from the date of receipt of this order and communicate the same to the applicant. Till that time, letter of the respondents dated 13.6.97 shall not be enforced/stayed. Accordingly O.A. is disposed of. No order as to costs.

DASTI.

  
(B.S. Hegde)  
Member (J)

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