

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 252/98.

Date of Decision: 02.04.1998.

G. C. Gupta,

Applicant.

Shri Ashok Kotangle,

Advocate for
Applicant.

Versus

Union Of India & Others,

Respondent(s)

Shri V. S. Masurkar,

Advocate for
Respondent(s)

CORAM:

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

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- (1) To be referred to the Reporter or not? *no*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *no*

R. G. Vaidyanatha
(R.G. VAIDYANATHA)
VICE-CHAIRMAN.

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CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 252/98.

Dated this Thursday, the 2nd April, 1998.

CORAM : HON'BLE SHRI JUSTICE R. G. VAIDYANATHA,
VICE-CHAIRMAN.

G. C. Gupta,
Judicial Member,
Income-Tax Appellate Tribunal,
Central Govt. Offices Bldg.,
4th floor, 101 M.K. Road,
Mumbai.
(By Advocate Shri Ashok Kotangle)

... Applicant

VERSUS

1. Union Of India through
The Secretary,
Ministry of Urban Affairs
and Employment,
New Delhi.
2. The Director of Estates
(Regions),
Directorate of Estate,
Government of India,
Nirman Bhavan,
New Delhi - 110 011.
3. The Estate Manager,
Pratiksha Bhavan,
101, M.K. Road,
Mumbai - 400 020.

... Respondents.

(By Advocate Shri V.S. Masurkar)

: OPEN COURT ORDER :

! PER.: SHRI R. G. VAIDYANATHA, VICE-CHAIRMAN !

This is an application filed by the
applicant for allotment of quarters. There is an
interim order passed by this Tribunal dated 23.03.1998
directing the respondents to allot some quarters
as an urgent measure. Shri V.S. Masurkar, the Learned

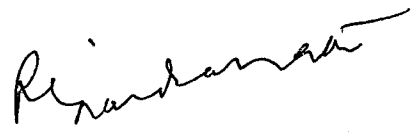
Counsel for the respondents states that the application is not maintainable. At any rate, the applicant's need for quarters has since been complied with.

2. It is brought to my notice that in pursuance of the interim order dated 23.03.1998, the respondents have allotted Type-V quarter at Hyderabad Estate to the applicant. In the O.A. the applicant has asked for allotment of Type-VI quarter or in the alternative Type-V quarter or even transit accommodation. Now that the alternative prayer, namely - type-V quarter has been considered by the respondents and has been allotted to the applicant, therefore, in my view, the present application does not survive for consideration. However, in the application the applicant has raised some points of allotment of quarters to the applicant on priority basis or on out of turn basis. The Learned Counsel for the applicant, also made a submission that as per rules, the applicant is entitled to type-VI quarters on out of turn basis, on the basis of salary and also on the basis that he is holding a Judicial post being a Judicial Member of the Income Tax Appellate Tribunal. Now that the minimum necessity of the applicant of getting a quarter has been satisfied by allotting type-V quarter, I feel that there is no necessity to keep the O.A. on file. All contentions taken in the O.A. are left open.

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Liberty to the applicant to make a representation to the second respondent, making out his case for allotment of Type-VI quarters on priority basis, etc. If such an application or representation is made by the applicant, then the Respondent No. 2 shall dispose of the same as per rules within a period of three months from the date of receipt of the application. If inspite of the order of the second respondent, the applicant is ^{86 u}aggrieved, then he may challenge the order according to law.

3. In the result, the O.A. is disposed of at the admission stage subject to the above observations. In the facts and circumstances of the case, there will be no order as to costs.


(R. G. VAIDYANATHA)
VICE-CHAIRMAN.

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