

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT : HYDERABAD

32

O.A.No.141 of 1990

Date of Order: 20-2-1990

Between

1. K.Seethamahalakshmi
2. K.Bhikshalu

Applicants

and

1. The Divisional Railway Manager,
South Central Railway,
Vijayawada.
2. The Senior Divisional Personal
Officer, South Central Railway,
Vijayawada.
3. The Deputy Chief Mechanical Engineer .
(Personal Branch), Wagon Workshop
Guntupalli, Krishna District.

Respondents

Appearance

For the applicants : Shri P.Krishna Reddy, Advocate.
For the Respondents : Shri N.R.Devraj, Standing
Counsel for Railways.

CORAM

The Honourable Shri B.N.Jayasimha, Vice-Chairman.
The Honourable Shri D.Surya Rao, Member(Judicial).

(JUDGMENT OF THE BENCH DELIVERED BY HON'BLE SHRI D.SURYA RAO,
MEMBER (JUDICIAL))

This application has been filed by two Railway employees (Husband & Wife) questioning the action taken by the 3rd respondent vide his letter dated 24-1-1990 to the 1st applicant compelling her to vacate the railway quarters, previously allotted to the second applicant i.e. Railway Quarter No.190/ Type IV at Vijayawada.

2. It is contended in the application that both the applicants

contd..page 2/-

have been in the occupation of the said quarters ever since 33
1962 till today. Since the wife i.e. applicant No.1 has been transferred from Vijayawada to Rayanapadu, a request was made that the same quarters may be allotted in favour of applicant No.2 ie. husband and ^{no} orders have been passed on the said representation. Meanwhile the 3rd respondent viz., the Deputy Chief Mechanical Engineer, Wagon Workshop, Guntupally, under whom the 1st respondent is working, has passed an order dated 24-1-1990 directing the first applicant to vacate the quarters at Vijayawada immediately failing which rent will be recovered at damage rate alongwith arrears from 15-10-1988 in addition to action under DAR rules. Hence the applicants are challenging the said order of the 3rd respondent by this application.

3. We have heard Shri P.Krishna Reddy, learned Counsel for the applicants and Shri N.R.Devraj, learned Standing Counsel for the Railways, for respondents.

4. Shri Devraj contends that the quarters now under the occupation of the applicants is reserved for essential ^{and Mr} ~~of the~~ ^{such as} Hospital staff and, therefore, it is necessary that the applicants should vacate the quarters.

5. From a perusal of the application, it is clear that the applicant No.1 has made a representation on 6-2-1990 against the order of the 3rd respondent requesting him not to press her for vacation of quarters and to permit her to continue in the same quarters. We also find that the husband of the first applicant ie. applicant No.2 has made representations on 19-3-1989 and on 29-7-1989 to the 1st respondent and 2nd respondent respectively requesting that the quarters may be re-allotted to him. He also brought out that though

36

he has been working since 1962, no quarters has been allotted to him.

6. In these circumstances, the main application is disposed of with a direction that the representations dated 19-3-1989, 29-7-1989 and 6-2-1990 made by the applicants to the respondents should be disposed of by the respondents. Till the disposal of the said representations, the applicants should not be disturbed from the occupation of the quarters in which they are staying at present.

7. The application is disposed of with the above direction. No order as to costs.

(Dictated in Open Court)

B.N. Jayasimha

(B.N. JAYASIMHA)
VICE-CHAIRMAN

D. Surya Rao

(D. SURYA RAO)
MEMBER (JUDICIAL)

Date: 20-²~~1~~-1990

S. Venkatesh
Deputy Registrar (J21.4)

NSR

TO:

1. The Divisional Railway Manager, south central railway, Vijayawada.
2. The Senior divisional personal officer, south central railway, Vijayawada.
3. The Deputy Chief Mechanical Engineer, (Personal branch), Wagon workshop Guntupalli, Krishna District.
4. One copy to Mr. P. Krishna Reddy, Advocate, 3-5-899, Himayatnagar, Hyderabad.
5. One copy to Mr. N. R. Devaraj, SC for Railways, CAT, Hyderabad.
6. One spare copy.

kj.

20/2/90
20/2/90

Typed by: Compared by:

HON'BLE MR.B.N.JAYASIMHA: (V.C.)

HON'BLE MR. J. NARASIMHA MURTHY: (M) (J)

HON'BLE MR. R. BALASUBRAMANIAN: (M) (A)

~~ORDER/JUDGMENT:~~

~~M.A./R.A./C.A./No.~~

T.A. No. 7

(W.P.No.)

O. A. No. 14190

~~Admitted and Interim directions~~
~~issued.~~

~~Allowed.~~

~~Dismissed.~~

Disposed of with direction.

~~M.A. Ordered.~~

No order as to costs.

Sent to Xerox on:

Central Administrative Tribunal
LITIGATION
2 JAN 1980
HYDERABAD BENCH.