

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.411 of 1992

DATE OF JUDGMENT: 7th AUGUST, 1992

BETWEEN:

Mr. G. Janardhan Reddy .. Applicant

AND

1. The Estate Officer,
(M.G), Hyderabad Division,
South Central Railway,
Secunderabad. .. Respondent

COUNSEL FOR THE APPLICANT: Mr. P.V. Krishnaiah

COUNSEL FOR THE RESPONDENT: Mr. D. Gopala Rao, SC for Rlys.

CORAM:

Hon'ble Shri R. Balasubramanian, Member (Admn.)

Hon'ble Shri C.J. Roy, Member (Judl.)

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JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI C.J.ROY, MEMBER(JUDL.)

This is an application filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 for a relief to declare the action of the respondent as arbitrary, illegal, in issuing the impugned order No.YW/407/W.V/Eviction, dated 9.4.1992, directing the applicant to vacate the Railway Quarter No.K-5 at Wadiaram, South Central Railway, Medak District, and quash the same, and issue consequential order or direction to the respondent to allow the applicant to continue in the said quarter. The facts in brief are as follows:-

The applicant while working as a Yard Porter at Wadiyaram Railway Station, South Central Railway, was terminated from service by an order dated 25.4.1991 issued by the Assistant Operating Superintendent. He filed O.A.No.1001/91 before this Tribunal on 28.10.1991 and the same is pending for adjudication. Meanwhile, the respondent herein issued the impugned proceedings dated 9.4.1992 directing the applicant to vacate the Railway Quarter No.K-5 at Wadiaram, South Central Railway, Medak District. Hence, the applicant filed the present application for the relief as stated above.

2. The respondent has not filed counter to this application.

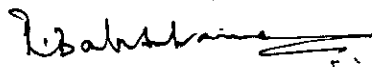
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3. We have heard Mr. P.V.Krishnaiah, learned counsel for the applicant and Mr. N.Rajeswara Rao for Mr. D.Gopala Rao, learned Standing Counsel for the Respondent. By way of interim directions, the Bench directed the respondent not to evict the applicant from the quarter which is in the occupation of the applicant, if not already evicted and ~~that~~ the applicant ~~should~~ be allowed to continue in the said quarter only on payment of rent as per the rules and regulations.

4. In view of the conclusions drawn and the orders passed in O.A.No.1001/91, the interim orders granted on 22.7.1992 are made absolute and the applicant is not ~~required~~ entitled to be evicted from his quarters.

5. With these directions, the application is allowed with no order as to costs.


(R. BALASUBRAMANIAN)
Member (Admn.)


(C. J. ROY)
Member (Judl.)

Dated: 7th August, 1992.


Deputy Registrar (J)

To

1. The Estate Officer, (M G)
Hyderabad Division, S.C.Rly,
Secunderabad.

2. One copy to Mr.P.V.Krishnaiah, Advocate, A.P.A.T. Hyd.
vsn

3. One copy to Mr.D.Gopala Rao, SC for Rlys,CAT.Hyd.

4. One copy to Hon'ble Mr.C.J.Roy, Member (J)CAT.Hyd.

5. One spare copy.

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COMPARED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH.

THE HON'BLE MR.

AND

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

AND

THE HON'BLE MR.T.CHANDRASEKHAR REDDY :
MEMBER(J)

AND

THE HON'BLE MR.C.J. ROY : MEMBER(J)

Dated: 7 - 8 -1992

~~ORDER~~ /JUDGMENT

F.A./C.A./M.A. No.

in

O.A.No. 411/92

T.A.No.

(W.P.No.

Admitted and interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

M.A.Ordered/Rejected.

No order as to costs.

pvm.

Central Administrative Tribunal

DESPATCH

26/9-1992

HYDERABAD B