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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

D.A. 1076/94.

Dt.of Decision : 1-9-94.

Mr. L. Surya Prakash

.. Applicant.

Vs

1. The Post Master General,
Visakhapatnam Region,
Visakhapatnam - 530 003.

.. Respondent.

Counsel for the Applicant : Mr. V. Samba Siva Rao

Counsel for the Respondent : Mr. V. Bhimanna, Addl. CGSC.

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

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Judgement

(As per Hon. Mr. Justice V.Neeladri Rao, VC)

Heard Sri V.Sambasiva Rao, learned counsel for the applicant and Sri V. Bhimanna, learned counsel for the respondents.

2. On medical invalidation the applicant was retired prematurely from service with effect from 29-12-1992. Representation for providing appointment to his son on compassionate grounds was not considered. He filed DA.849/93 on the file of this Bench to seek the above relief. The respondents were directed to consider the case of the applicant's son for appointment on compassionate grounds.

3. As per memo dated 17-8-94 ^{Notice} was issued (vide No. BDQ/42-2/III) to the applicant calling upon him to show-cause on or before 31-8-1994 as to why order of eviction should not be made. The said notice was issued in exercise of power under section 4(1) Public Premises Eviction of Unauthorised Occupants Act, 1971. The same is assailed in this DA.

4. The only contention for the applicant is that he should be allowed to continue in this quarter till his son is given a job.

5. But as per the order dated 19-4-1994 in DA.374/94 the rent payable for this quarter from the expiry of eight months from the date of retirement of the applicant is Rs.40/- per Sq.Mtr. Thus, the rent payable for

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this quarters, if the applicant is not going to evict, is very high. Further, there is nothing to indicate that the impugned show-cause-notice is illegal.

6. In the circumstances, the only order that has to be passed is to allow the applicant to show cause to the notice dated 17-8-1994, on or before 30-9-1994.

7. The DA is ordered accordingly at the admission

h.s.s
(A.B. Gorthi)
Member (Admn.)

Neeladri
(V. Neeladri Rao)
Vice Chairman

Dated : September 1, 94
Dictated in open court

Andhra 21/94
Deputy Registrar (J)CC

To

1. The Postmaster General,
Visakhapatnam Region, Visakhapatnam-3.

SK

3. One copy to Mr.V.Bhimanna, Addl.CGSC.CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

pvm

*Postmaster
Visakhapatnam*

Today
Today
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE-CHAIRMAN

AND

A B Gorle
THE HON'BLE MR.R.RANGARAJAN : M(ELIN)

DATEL: 1-9-1994

ORDER/JUDGMENT

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

in
O.A.No. 1076/94
(T.A.No.) (W.P.NO)

Admitted and Interim
Issued

Allowed.

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

