

36

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD
O.A.NO. 1355 of 1996.

Between Dated: 15.3.1996.

1. A.L.Narasimha.
2. A.N.Jaya Surya Applicants

And

1. Union of India, rep. by Secretary to Government of India,
Ministry of Defence, South Block, New Delhi.
2. General Office Commandant, ATNK &K, Madras.
3. The Commander works Engineer, Mudfort, Secunderabad.
4. The Station Commander & Estate Officer, Secunderabad.

... Respondents

Counsel for the Applicants : Sri. N.Ram Mohan Rao
Counsel for the Respondents : Sri. V.Bhimanna, Addl. CGSC.

CORAM:

Hon'ble Mr. R.Rangarajan, Administrative Member

Contd:...2/-

O.A.1355/95.

Dt. of De

ORDER

1. As per Hon'ble Shri R. Rangarajan, Member (Admn.)

The first applicant while working as a Mate under R-3 retired voluntarily on medical ground with effect from 22-06-90. The second applicant who is the son of the first applicant was appointed as compassionate ground as Meter Reader with effect from 30-12-1992. The first applicant while in service was allotted Quarter No. 23/15 & 16 M.E.S. Colony, Sappers Line, Secunderabad. The first applicant has not vacated the quarter even after retirement. But requested for allotment of the said quarter to his son who is the second applicant herein for which he made a representation on 31st December 1992 but it is stated that application was not replied.

2. He was issued the impugned proceedings No.21704/6538/E2A dated 01-11-95, issued by R-3 whereby the first applicant was directed to vacate the said quarter. The above said impugned proceedings is assailed in this OA. It is further pray to consider for allotting that quarter No.23/15& 16 M.E.S. Colony, Sappers Line, Secunderabad to ~~R-2~~ to the second applnt.

-3-

3. An interim order dated 10-11-95 was passed suspending the impugned order dated 01-11-95 on payment of penal rent as is being paid now.

4. The learned counsel for the applicant submitted that he is not pressing this OA but requested for retention of this quarter for 60 days from the date of receipt of a copy of this order so as to enable the applicant for ~~engaging~~ arranging alternate accommodation and also prayed for a direction to the respondents to allot a suitable quarter to R-2.

5. The learned standing counsel submitted that there is no rule to regularise the said quarter in the name of R-2 as he was appointed more than two years after the retirement of the first applicant. He also opposed for granting any time for vacation of the quarter No.23/15&16 M.E.S. Colony, Sappers Line, Secunderabad.

6. However, on humanitarian grounds the applicant should be given some time before eviction proceedings started as he has stayed in that quarter for such a long time and he has to make an arrangement for securing an alternative accommodation. In view of this the eviction proceedings if any contemplated has to be initiated 45 days after the receipt of a copy of this order. If the 2nd applicant applies for a quarter the same may be considered sympathetically in accordance with rules in view of the fact that he was appointed on compassionate ground.



46

: 5 :

Copy to:-

1. The Secretary to Government of India, Union of India, Ministry of Defence, South Block, New Delhi.
2. General Office Commandant, ATNK & K, Madras.
3. The Commander Works Engineer, Mudfort, Secunderabad.
4. The Station Commander & Estate Officer, Secunderabad.
5. One copy to Sri. N.Ram Mohan Rao, Advocate, CAT, Hyd.
6. One copy to Sri. V.Bhimanna, Addl. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

37/196

DA-1358/95

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

R. Rangarajan.

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

HON'BLE SHRI

DATED: 15/3/96

ORDER/JUDGMENT

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

O.A. NO.

IN
1358/95

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

* * *
No. 8088 Copy

