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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.908/96.

DATE OF ORDER : 31st JULY, 1996.

Between :-

T.R.Dikshitulu

...Applicant.

And

1. The Chief Post Master General,
A.P.Circle, Hyderabad-500 001. ...

...Respondent

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Counsel for the Applicant : Shri T.R.Dikshitulu
(party-in-person)

Counsel for the Respondent : Shri V.Vinod Kumar, Sr.COSC

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CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

(Orders per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri Dikshitulu, party-in-person and Sri V.Vinod Kumar, standing counsel for the Respondents. The applicant was charge-sheeted by memo No.A1/83/PF/TRD/95 dt.24-3-95 and on the basis of the charge sheet, he was dismissed from service by memo No.ST/DISC/HD/26/96 dt.25-6-96 by the Director of Postal Services. The applicant submitted an appeal to the Respondents herein against the dismissal order by his appeal dt.8-7-96. It is stated that his appeal dt. 8-7-96 is still pending and is not disposed of by the Chief Post Master General, Hyderabad. In the meantime, the applicant

was asked to vacate the quarter by the end of July, 1996, by letter No.BDQ/CII-2/Uppal/96-97 dt.3-7-96 issued by the Chief Post Master General, A.P.Circle, Hyderabad.

2. The applicant now submits that as his representation against the dismissal order is still pending with the Chief Post Master General, he is not able to vacate the quarter as per the letter dt.3-7-96. He further states that he should be allowed to continue in that quarter till the disposal of the representation filed against his dismissal addressed to Chief Post Master General.


3. This Original Application is filed praying for a direction to the respondents not to evict him from Government accommodation till his appeal dt.8-7-96 is disposed of. The applicant after dismissal can be permitted to stay in the quarters for certain period in accordance with the Departmental Rules. After that period he has to vacate the quarter unless permission is given by the concerned postal authorities to stay in the quarters either paying usual rent or penal rent. The Court or Tribunal cannot interfere for stay/retention of the quarter occupied by the dismissed government servant. Any interference ^{with the accommodation if} ~~is wanted~~ ^{the applicant} only that order asking ² to vacate the quarters is arbitrary or in violation of rules. No such arbitrariness or violation of rules has been brought to my notice in this O.A. by the applicant. In view of the above, the only remedy left to the applicant is to approach the Chief Post Master General for getting permission to stay in

the quarter till the disposal of his representation dt. 8-7-96 for reviewing the dismissal order. The Respondent herein may issue suitable orders if such a representation is filed by the applicant.

4. In the result, the following direction is given :-

"The applicant may file a suitably worded representation to the respondent herein for retention of the quarter occupied by him till the disposal of his representation against the dismissal order dt. 25-6-96. If such a representation is received, the Chief Post Master General may issue suitable orders in accordance with the Law. The applicant, if so advised, must file a representation in pursuance of the above direction within 2 or 3 days time as the last date for vacation of the quarter as indicated by Chief Post Master General is 31-7-96."

5. The Original Application is ordered accordingly at the admission stage itself. No order as to costs.


(R. RANGARAJAN)
Member (A)

Dated: 31st July, 1996.
Dictated in Open Court.

avl/


D. R. (S)

Contd..

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O.A.NO.908/96

Copy to:

1. The Chief Post Master General,
A.P.Circle, Hyderabad.
2. One copy to Mr.T.R.Dikshitulu, Party in Person,
Ex-L.S.G.P.A., Hyderabad G.P.O.,
AT CII-2, Postal Staff Quarters,
Meghadootnagar, Uppal,
Hyderabad - 500 039.
3. One copy to Mr.V.Vinod Kumar, CGSC,
CAT, Hyderabad.
4. One copy to Library, CAT, Hyderabad.
5. One duplicate copy.

YLKR

6/8/96
TYPED BY
COMPARED BY

C.C. today also
2/8/96
CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 31.7.96

ORDER/JUDGEMENT
O.A. NO./R.A/C.P. No.

in

O.A. NO. 908/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

YLKR

II COURT

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H. Chandra Sekhri to ely No Spare Copy
Central Administrative Tribunal
HYDERABAD BENCH
2 AUG 1996
HYDERABAD BENCH