

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

OA No.752/97

Date of Decision: 1st July, 1997.

BETWEEN:

N. SESHAMMA

.. Applicant

AND

1. The Senior Divisional  
Personnel Officer,  
BZA, South Central Railway,  
Vijayawada.

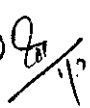
2. Divisional Railway Manager,  
South Central Railway,  
Vijayawada

.. Respondents.

Counsel for the Applicant: Mr. A. Venkateswara Sarma

counsel for the Respondents: Mr. D.F. Paul

CORAM:

THE HON'BLE H. RAJENDRA PRASAD: MEMBER (ADMN.) 

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.))

Heard Sri Venkateswara Sharma for the applicant and Sri D.F. Paul for the respondents.

The contents of the OA disclose that the applicant's son, Sridhar, was given an appointment in the department on compassionate ground after the demise of his father, Sri Subba Rao, formerly C& W Fitter in Vijayawada Division. The said Sri Subba Rao passed away in 1992 and Sridhar, the present occupant of quarter originally allotted to his father, was selected for appointment as a trainee on 30.9.92. It is revealed that the said Sridhar was undergoing training for nearly 3 years and was regularly appointed only in 1995. The applicant Smt. Seshamma, who is the widow of Sri N. Subba Rao, did not vacate the quarters all these years and the family, including N. Sridhar, is stated to be residing in the quarter without the accommodation having been regularly allotted <sup>in</sup> or regularised <sup>in</sup> the name of Sridhar. It is also seen that the allotment of quarter to Subba Rao was cancelled.

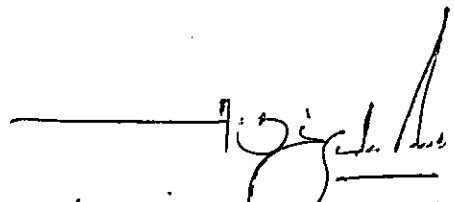
A notice was received from DRM, Vijayawada (Annexure-II) by the applicant, N. Seshamma, that certain recoveries shall have to be made from the DCRG of late Subba Rao on account of non-vacation of the said quarter by the legal heirs of the allottee. It is, however, seen that no recovery has actually been affected so far but, at the same time, the DCRG of the deceased employee has not been released on account of the alleged non-payment of normal/damage rent in respect of the quarter.

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This OA has been filed on receipt of only the said notice (Annexure-III). The appropriate course for the applicant would be to make a representation to DRM (P) against the proposed recovery. The case has to be examined initially by the DPO/DRM with reference to rules on the subject and decision shall thereafter have to be communicated to the applicant. This OA is prematurely filed.

The applicant may, therefore, submit an application to the DMR within 4 weeks from today. If and when such a representation is received DRM (P) shall have the same examined, and take a decision and communicate the same to the applicant within 3 weeks thereafter.

Thus the OA is disposed of.

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMN.)

Dt. 1st July 1997

  
Deputy Registrar.

KSM

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O.A.752/97.

To

1. The Senior Divisional Personnel Officer,  
BZA, S.C.Rly, Vijayawada.

alongwith O.A.copies.

2. The Divisional Railway Manager,  
SC Rly, Vijayawada.

3. One copy to Mr.A.Venkateswara Sarma, Advocate, CAT.Hyd.

4. One copy to Mr.D.Francis Paul, SC for Rlys CAT.Hyd.

5. One copy to HHRP.M(A) CA<sup>T</sup>.Hyd.

6. One copy to D.R.(A) CAT.Hyd.

7. One spare copy.

pvm

24/7/97

T COURT

TYPED BY \_\_\_\_\_ CHECKED BY \_\_\_\_\_  
COMPARED BY \_\_\_\_\_ APPROVED BY \_\_\_\_\_

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE  
VICE-CHAIRMAN

and

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

Dated: 1-7 -1997

ORDER/JUDGMENT

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

in

O.A.No. 752/97.

T.A.No. (w.p.)

Admitted and Interim directions  
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

alw OA Copies

केन्द्रीय प्रशासनिक न्यायिकरण Central Administrative Tribunal प्रेषण/DESPATCH 27 JUL 1997 हैदराबाद न्यायपीठ HYDERABAD BENCH
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