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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 02.12.96

OA 243/96

R.K.Farmarthak, Head Clerk in the office of Divisional Railway Manager,
Western Railway, Kota Division, Kota.

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. The Divisional Railway Manager, Western Railway, Kota Division, Kota.
3. Senior Divisional Personnel Officer, Western Railway, Kota Division, Kota.

... Respondents

CORAM:

HON'BLE MR.GOPAL IRISHIA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.Shiv Kumar

For the Respondents

... Mr.M.Rafiq

O R D E R

PER HON'BLE MR.GOPAL IRISHIA, VICE CHAIRMAN

Applicant, R.K.Farmarthak, has challenged the impugned order dated 10.11.94, at Ann.A-1, in so far as it relates to allotment of Type-II quarter to him. He has prayed for a direction for allotment of Type-III quarter.

2. We have heard the learned counsel for the parties. They have agreed to this matter being disposed of at the stage of admission.

3. The applicant is unquestionably not entitled to retain Type-IV quarter, which was allotted to and occupied by his father, who has since retired from service.

4. It is admitted by the respondents that the applicant, who is presently employed as Head Clerk in the office of the Divisional Railway Manager, Kota Division, Kota, is in fact entitled to a Type-III quarter and he is, therefore, aggrieved by the allotment of a quarter of a lower category to the one to which he is entitled.

5. In the circumstances, we direct the respondents to allot a Type-III quarter to the applicant in accordance with the applicant's turn.

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The applicant has already been allotted a Type-II quarter, which he is supposed to occupy on vacating Type-IV quarter, which is in his occupation at present. The applicant is granted one month's time from today to vacate Type-IV quarter, occupied by him in order to occupy Type-II quarter allotted to him. The OA stands disposed of accordingly with no order as to costs.

(O.P. SHARMA)

ADMINISTRATIVE MEMBER

(GOPAL PRISHNA)

VICE CHAIRMAN

VK