

9

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

-----  
ORDER SHEET

---

ORDERS OF THE TRIBUNAL

---

20.09.2011

OA No.540/2010

Mr. Vikram Singh Nain, counsel for the applicants  
Mr. Anupam Agarwal, counsel for respondents

Heard the learned counsel for the parties.

The OA stands disposed of by a separate order for the reasons dictated therein.

*K.S. Rathore*

(JUSTICE K.S.Rathore)  
Judl. Member

R/

*[Signature]*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH

Jaipur, this the 20<sup>th</sup> day of September, 2011

**Original Application No.540/2010**

CORAM:

**HON'BLE MR. JUSTICE K.S.RATHORE, MEMBER (JUDL.)**

Smt. Sinjari Devi  
w/o Late Shri Ram Pratap (TL Khalasi),  
Helper-II, Coaching Electricity,  
Sriganganagar, presently residing  
c/o Shri Jagdish Kumar, Railway Quarters,  
Sri Ganganagar (Raj.)

.. Applicant

(By Advocate: Shri Vikram Singh Nain)

Versus

1. The Union of India through General Manager, North Western Railway, Headquarter Office, Jaipur
2. The Senior Divisional Engineer, North-Western Railway, Bikaner.
3. The Senior Section Engineer (C&W), North Western Railway, Sri Ganganagar.

.. Respondents

(By Advocate: Shri Anupam Agarwal)

ORDER (ORAL)

The short controversy involved in this case is that the applicant was living in a Sleeper Hut. In the year 2008, the Railway Department decided to dismantle the Sleeper Huts to construct the residential quarters for the employees and the



applicant along with others were informed to vacate such Huts. Vide letter dated 28.11.2008 (Ann.A/3) written by the ADEN-II-HMH regarding vacation of abandoned Sleeper Huts at Sri Ganganagar Station it is stated that if the occupants of the Sleeper Huts vacate the Huts, their names will be entered for priority of allotment of new quarters.

2. The applicant handed over possession of the abandoned Sleeper Hut and quarters have been constructed on the land. The grievance of the applicant is that in the letter dated 28.11.2008, her name find place at SL.No.4 in the list of persons identified as occupying the abandoned huts and she has handed over the possession, but she has not been allotted the newly constructed quarter. The applicant considering this list as priority list submits that her name finds place at SL.No.4 and number of other persons have been allotted the quarters but the applicant was only left. On the contrary, even the persons who are already having accommodation were also given the quarters and some of the persons whose name find mention in Para 5-E of the OA have rented the allotted quarters to some civilians.

3. It is not disputed that at present the applicant is residing in Q.No.57-A on sharing basis with one Shri Jagdish Kumar and since Shri Jagdish Kumar has given no objection for sharing the



accommodation, as such, sanction to share the accommodation was granted according to rules. The applicant has filed complaint against Shri Jagdish Prasad alleging that he is charging Rs. 1500/- as rent. On receipt of such complaint, the respondents enquired into the matter and statement of Shri Jagdish Kumar was recorded on 14.2.2011. In the statement, Shri Jagdish Kumar emphatically denied the fact that he is charging any rent from the applicant. On the contrary, he has stated that on humanitarian grounds he has allowed the applicant to share the accommodation.

4. It is also not disputed by the respondents that they will allot the quarter as per the priority prepared by the railway department and immediately after her turn comes, she will get the quarter.

5. Be that as it may, without entering into the controversy of the matter, since it is admitted by the respondents that they will allot the accommodation immediately after the applicant's turn comes and at present she is sharing accommodation with Shri Jagdish Kumar and Shri Jagdish Kumar has refused to charge any rent from the applicant, as such, she need not to pay any rent to him.

6. Since, the applicant has made allegation and given names of persons in para 5-E of the OA, therefore, I like to direct the respondents to enquire into the matter regarding



the names mentioned in Para 5-E. of the OA, whether the persons mentioned in this para have actually rented out their allotted quarters to some civilians or not. If it is found correct, then action be initiated against such persons and they may be dis-possessed from the quarters allotted to them, and on availability of vacant quarter, allot the quarters to the needy persons like the applicant and the applicant being lady, the respondents are expected to consider her case sympathetically.

7. With these observations, the OA stands disposed of with no order as to costs.

8. It is expected from the respondents to complete the above exercise expeditiously, but in any case, not later than three months from the date of receipt of a copy of this order.

  
(JUSTICE K.S.RATHORE)  
Judl. Member

R/