

CENTRAL ADMINISTRATIVE TRIBUNAL.
GUWAHATI BENCH: GUWAHATI.5

ORIGINAL APPLICATION NO. 116/94 MISC. APPL. NO. (IN OA.)
REVIEW APPLICATION NO. (IN O.A. NO.) CONT. APPL. (O.A.)

C.P. Singh

APPLICANT(S)

Union of India & Ors.

VERSUS

RESPONDENT(S)

Mr K.M.M. Khan

APPLICANT(S) ADVOCATE

Mr S.Ali, Sr.C.G.S.C

RESPONDENT(S) ADVOCATE

OFFICE NOTE

DATE

COURT'S ORDER

20.6.94

This application is in
form and within time.

C. F. of Rs. 50/-

deposited vide

IPO/BB No. 03.863202.

Dated 17-6-94

This application under Section 19
of the Administrative Tribunals Act, 1985
is moved by learned counsel Mr K.M.M.Khan
on behalf of the applicant, Shri C.P.Singh
Copy of the petition has been received
by learned Sr.C.G.S.C Mr S.Ali.

List on 23.6.94 for consideration
of admission.

The respondent No.7, Shri A.K.Sri-
vastava, TDM, Imphal and respondent No.14
Estate Officer, Office of the Chief General
Manager, North Eastern Telecom. Circle,
Deptt. of Communication, Shillong, are
directed not to evict the applicant Shri
C.P.Singh till consideration of admission
of this application.

Inform all concerned.

Vice-Chairman

Office to inform respon-
dents No.7 and 14-A
telegraphically at the
cost of the applicant.

nkm

By order:

20-6-94
Informed respondent no. 14-A
telegraphically & respondent no. 7

OFFICE NOTE

DATE

COURT'S ORDER

23.6.94

22-6-94

Informed respondent no. 7 by telegraphy with receipt no. 433- dated 20.6.94 (Receipt kept in 'C' file).

Respondent no. 14(A) could not sent due to shortage of money from the applicant.

J.S.

Heard learned counsel Mr K.M.M. Khan on behalf of applicant Shri C.P. Singh. Perused the statements of grievances and reliefs sought for in this application. The applicant impugns the Order No.8Q-2097/93-94/158 dated Imphal the 28.4.94 (Annexure-NN). He was directed to vacate the quarter allotted to Shri V.Kaleeswaran, AE Computer (respondent No.9). Applicant complains that his entire monthly salary has been deducted for recovery of the alleged outstanding dues and prays for direction to stop recovery which according to him is illegal. Also heard Sr.C.G.S.C Mr S.Ali

It is an admitted fact that the quarter in question at Palace Compound, Imphal was allotted to Shri V.Kaleeswaran. ^{Applicant} He took possession of the said quarter and staying there from 27.1.94. He claims that his occupation is on mutual understanding with Shri V.Kaleeswaran. No document on mutual understanding is produced. He produced documents Annexure-R dated 11.5.94. It is a self made certificate/document by the applicant to the effect that he took possession of quarter No.1 Type-II on mutual understanding with the allottee Shri V.Kaleeswaran. No document from Shri V.Kaleeswaran could be produced to show that Shri Kaleeswaran agreed or allowed him to occupy his quarter temporarily or for some period. The respondent No.11 issued notice dated 30.3.94 (Annexure-Y) to applicant informing that Shri V.Kaleeswaran complained to the authority

contd...

OFFICE NOTE	DATE	COURT'S ORDER
	23.6.94	<p>for illegal occupation of his quarter by the applicant and so he was asked to vacate. Finally the respondent No.11 by his letter dated 28.4.94 directed applicant to vacate the quarter.</p> <p>Under the facts and circumstances, we find that applicant has no case to ask for relief and interim relief. There is no reason for issuing direction to allow him to continue occupation of the said quarter.</p> <p>Accordingly this application is not entertained.</p> <p>As to recovery, we direct the respondents particularly respondent No.7-A, Telecom District Manager, Manipur to make recovery, if any, in accordance with rules.</p> <p>The applicant has filed application on 15.4.93 (Annexure-K) to the Estate Officer, respondent No. for allotment of quarter. We direct respondents No.14^{and 14-A} to allot quarter to the applicant, if available, in accordance with preference.</p>

Copy of the order be furnished to the counsel of the parties.

By order

[Signature]
23.6.94

[Signature]
Vice-Chairman

[Signature]
Member

P9

4.7.94
Copy of order dtd. 23.6.94
issued to the Petitioner
and both the counsel
vide S/No. 2772-74
dtd. 5.7.94.

[Signature]