

Central Administrative Tribunal
Principal Bench
New Delhi

R.A.No.276/2016
in
O.A.No.3670/2016

New Delhi, this the 29th day of November, 2016

Hon'ble Shri V. Ajay Kumar, Member (J)

Bankesh Kumar Sinha,
Sr. SDE (PG),
Type IV Quarter No. B-5/2, MS Flat,
Peshwa Road, Gole Market, New Delhi

Also at:

Sr. SDE, O/o GM(OP),
Mahanagar Telephone Nigam Limited,
Mahanagar Door Sanchar Sadan, Corporate Office,
9, CGO Complex, Lodhi Road, New Delhi
(Age: years, Group 'B') .. Applicant

Versus

1. Mahanagar Telephone Nigam Limited,
Through, Chairman and Managing Director,
Mahanagar Telephone Nigam Limited,
Mahanagar Door Sanchar Sadan, Corporate Office,
9, CGO Complex, Lodhi Road, New Delhi.
2. The General Manager (HR-I) CO,
Mahanagar Telephone Nigam Limited
6th Floor, Door Sanchar Sadan, Corporate Office,
9, CGO Complex, Lodhi Road, New Delhi.
3. The Executive Director,
Mahanagar Telephone Nigam Limited
Khurshid Lal Bhawan, Janpath, New Delhi-110050.
Respondents

ORDER (By Circulation)

By V. Ajay Kumar, Member (J):

The Review Applicant filed OA No.3670/2016 and the same was disposed of, at the admission stage, even before issuing notice to the respondents, by an order dated 27.10.2016 as under:

"Heard the learned counsel for the applicant.

2. It is submitted that the applicant who is working as Senior SDE under the respondents , filed the present OA seeking following reliefs:-

" a. this Hon'ble Tribunak may graciously be pleased direct Respondents to allocate the said "Type V Quarter No. 503, Asiad Village, New Delhi; b. This Hon'ble Tribunal may further make such other and further orders it deems fit and proper in the facts and circumstances of the case."

3. It is further submitted that the applicant vide Annexure P-6 dated 02.09.2016 (colly) submitted representation to the respondents, however, the respondents have not passed any order thereon till date.

4. In the circumstances, the OA is disposed of at the admission stage without going into the merits of the case by directing the respondents to consider Annexure P-6 (Colly) representation of the applicant dated 02.09.2016 and pass appropriate reasoned and speaking order thereon within 90 days from the date of receipt of a certified copy of this order, in accordance with law. No costs."

2. The present review is filed mainly by submitting that the official residential quarter in which the applicant is residing is in dilapidated condition and that in view of the report dated 3.6.2016, the same is not fit for occupation, and since the representation dated 02.09.2016 which was directed to be decided by the respondents in the OA is for allotment of a new quarter, fixing of 90 days, will frustrate the purpose and that if the matter is delayed, there is a chance for any untoward

incident, by way of falling of the building or part thereof, causing physical harm to the applicant or to any of his family members.

3. In the circumstances, the RA is allowed at the admission stage, as the OA itself was disposed of at the admission stage, to the extent of modifying the order dated 27.10.2016 in OA 3670/2016 by fixing the time to consider the representation of the applicant at 45 days from 27.10.2016, i.e., the date of the order passed in OA No.3670/2016. No costs.

(V. Ajay Kumar)
Member (J)

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