

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.02/2019

This the 09th day of January, 2019

Coram :

Hon'ble Ms. Archana Nigam, Administrative Member

Hon'ble Shri M.C.Verma, Judicial Member

Purchitdas

H/o. Smt. Ambusam Perumal

Was working as Track Maintainer-III

Under SSE(P.W.) VG,

Aged about 58 years

C/o. Sunil Kant

At-Sanand Railway Station Colony

P.O. Nidhrad, T. Sanand

Dist. Ahmedabad 382 110. Applicant

(By Advocate : Shri K.R.Mishra)

VERSUS

1. Union of India
Owing and representing by
Western Railway,
Through General Manager
Western Railway, Churchgate
Mumbai 400 020.
2. Divisional Railway Manager
Western Railway Ahmedabad Division
Asawara, Ahmedabad 380 016.

CAT, Ahmedabad Bench

3. Sr. Divisional Finance Manager (WR)
Western Railway, Ahmedabad Division
Asarwa, Ahmedabad 380 016. Respondents.

ORDER – ORAL

Per : Hon'ble Shri M.C.Verma, Member (J)

Heard. It is a fresh matter and is at the stage of notice.

2. Learned counsel, Shri K.R.Mishra, who appeared for applicant submits that wife of the applicant was working as Track Maintainer-III under SSE (PW) Viramgam since 02.08.1984 and she expired on 27.10.2016. That after the death of his wife, the applicant, on 21.3.2017, made representation to the Senior Section Engineer, Viramgam to allow him to reside for further period of six months in the Railway quarter allotted to her wife. Without giving any reply to said representation, Respondents allowed him to continue to occupy said quarter but while issuing PPO, in favour of the applicant, respondents showed amount -'ZERO' against DCRG.

CAT, Ahmedabad Bench

That on inquiry it was informed by the Respondent Departments that due to unauthorized occupation of Railway quarter, DCRG has been withheld. That applicant has vacated the quarter on 15.9.2018 and after vacation of quarter, the Senior Section Engineer, (PW) sent internal communication, dated 23.10.2018 in respect of damages charged for alleged unauthorized occupation for the period from November, 2016 to September, 2018 to respondent No.3. The grievance of the applicant as has been submitted is that respondents have not paid DCRG as well levelled charged high rate of damage charged for unauthorised occupation of railway quarter.

2. Learned counsel added further that applicant wants to settled this issue at this stage with the respondent and applicant would be satisfied, if the applicant be given liberty to make representation to the competent authority regarding DCRG and high rate of damage charge and respondent be directed to

CAT, Ahmedabad Bench

consider and decide his representation within stipulated time frame.

3. Considered the submissions and perused the records. Taking note of entirety of the matter, we direct the applicant to make representation to the competent authority, if he wishes within fifteen days and the respondents are directed to consider and dispose of such representation, if made, at the earliest possible but in any case within three months from the date of its receipt. Needless to say, decision so taken shall be communicated to the applicant thereafter.

4. With the above direction and observation, the OA stands disposed off. No order as to costs.

(M.C.Verma)
Member (J)

(Archana Nigam)
Member (A)

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