

LIBRARY**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A.No. 350/583/2019

Date of order : 11.06.2019

Coram : Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**Hon'ble Mr. N. Neihsial, Administrative Member**

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Purusottam Patnaik, son of late Ganashyam Patnaik, of 7/J/5, Unit No.3, Old Settlement, post office and Police station-Kharagpur, District-Pashim Medinipur, Pin-721301.

..... Applicant

For the Applicant : Ms. P.Dey Dhabal, Counsel
Ms. S.Banerjee, Counsel

- Versus -**1. The Union of India,**

Notice to be served through the General Manager, South Eastern Railway, 11, Garden Reach Road, Kolkata-700043.

2. The Chief Personal Officer,

South Eastern Railway, 11, Garden Reach Road, Kolkata-43.

3. The Deputy Chief Materials Manager,

General Stores Department, South Eastern Railway, Kharagpur, Pashim Medinipur, West Bengal, pin-721301.

4. The Senior Materials Manager(GSD)/KGP,
South Eastern Railway, Kharagpur, Pashim Medinipur, West Bengal, Pin-721301.**5. Estate Officer,**

S.E. Railway, Kharagpur, Pashim Medinipur, West Bengal, Pin-721301.

6. The Assistant Materials Manager,

Diesel Set Stores, South Eastern Railway, Bernamunda, police station-Raulkellya, District-Sundergarh, Orissa, pin-

..... Respondents

For the Respondents : Mr. B.Manot , Counsel

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman:

The applicant is working as Office Superintendent in South Eastern Railway. Through an order dated 05.10.2016, he has been transferred on administrative grounds from Kharagpur to Bandamunda (BNDM) in the State of Orissa. On a request made by him, he was permitted to retain the accommodation at Kharagpur from 07.10.2016 to 07.12.2016 vide order dated 28.02.2017. Thereafter, it was extended till 31.03.2017. Since, the applicant did not vacate the premises, proceedings were initiated against him on 21.11.2018 under Section 4 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. They are challenged in this O.A.

2. The applicant contends that it became necessary for him to retain the quarter at Kharagpur on account of treatment of his old mother and study of his son. He has also stated that several representations were made on this behalf, but the impugned order was issued, without considering his representations.

3. We heard Ms. P.Dey Dhabal, learned counsel for the applicant, and Mr. B.Manot, learned counsel for the respondents.

4. It was way back in October, 2016, that the applicant was transferred from Kharagpur to BNDM on administrative grounds. Recognizing the hardship faced by the applicant, on account of transfer, the administration had initially permitted him to stay in the quarter at Kharagpur till December, 2016 and, thereafter, till March, 2017. The applicant did not vacate the accommodation in April, 2017, but went on making representations.



5. It hardly needs any mention that the government accommodation is meant for the occupation of the employees working at the concerned station and not for those, who have been transferred to other places. Since, the applicant was residing in the accommodation at Kharagpur unauthorisedly, respondents have initiated proceeding under Section 4 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. It is not even mentioned as to how the notice is liable to be interfered with. We do not find any ground to entertain the O.A., and it is, accordingly, dismissed. There shall be no order as to costs.


(N. Neihsial)
Administrative Member

(Justice L.Narasimha Reddy)
Chairman

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