

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL CUM LABOUR COURT, JABALPUR**

NO. CGIT/LC/A/02/2022

Present: P.K.Srivastava
H.J.S..(Retd)

R.J.Singh

Applicant/Complainant

Versus

**General manager,
SECL,
Kusumunda Area.**

Respondent/Management

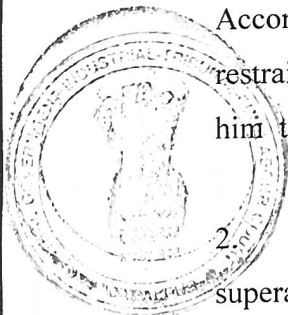
ORDER

(Passed on this 16th day of August-2022.)

1. This Petition under Section 33(A) of the Industrial Disputes Act, 1947 hereinafter referred to by the word "Act" has been filed by the Union with a case that an Industrial dispute is pending disposal before this Tribunal between the workman and the management. The Management is pressurising the workman to vacate the residence allotted to him even when the dispute is pending and this is in violation of Rule 25.3 of the Certified Standing order. Accordingly, it has been prayed that holding the action of Management, it be restrained from pressurising the workman to vacate the residence allotted to him till the industrial dispute is decided between the parties.

2. The case of the Management is that the workman has already superannuated on 30-6-2019 after attaining the age of 60 years. During his employment he was allotted quarter No.B/329 Adarsh Nagar which he was required to vacate after his superannuation. He is still illegally in occupation of the said accommodation. The Industrial dispute referred to has no connection with the present dispute. The workman is nowhere entitled to retain the official accommodation allotted even after his superannuation which happened about four years earlier.





3. I have heard argument of learned counsel for the both the sides and have also gone through the record.
4. Rule 25.3 of the Certified Standing Order is being reproduced as follows:-


25.3:- The use of Company's quarters is conditional on the workman being in service of the company, However, where case pertaining to, the concerned worker is pending before CGIT till the case is decided by the CGIT or where the management prefers an appeal against the AWARD of the CGIT, till the case is decided by the Hon'ble Court of Law.

5. It is clear from the said Rule that the workman can retain the official accommodation till the date of his superannuation and not thereafter. The workman has superannuated in the year 2019, hence he is not entitled to retain the said accommodation allotted to him during his service time even after his superannuation. He cannot be given protection of Rule 25.3 of the Certified Standing Order in this case. He has already superannuated. Accordingly, the petition is without merit and is liable to be dismissed.

ORDER

The Petition stands dismissed.

No order as to costs.


(P.K.SRIVASTAVA)
PRESIDING OFFICER

DATE: 16-8-2022

