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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1963/2002

This the 31st day of July, 2002

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Sh. Tej Kumar S/o Sh. Pitamber Singh
R/o 56-H, CBI Colony, Vasant Vihar
New Delhi - 110057.
Presently under suspension & Posted as
Sub Inspector : CBI : ACU-II
7th Floor, Block No. 3
CGO Complex, Lodhi Road
New Delhi - 110003.

.... Applicant

(By Applicant: Sh. D.S. Chaudhary)

VERSUS

Union of India
Through The Secretary
Department of Personnel and Training
North Block, New Delhi-110001.

2. The Director
Central Bureau of Investigation
Block No.3, CGO Complex, Lodhi Road
New Delhi - 110003.
3. The Dy. Director (Administration)
Central Bureau of Investigation
Block No.3, CGO Complex, Lodhi Road
New Delhi - 110003.
4. Sh. Jatender Kumar
Superintendent of Police (HQ)
Central Bureau of Investigation
4th Floor, Block No.3, CGO Complex
Lodhi Road, New Delhi - 110003. Respondents

O R D E R (ORAL)

Applicant has challenged the impugned order vide which the competent authority has been pleased to cancel the allotment of CBI Residential Qr. No.56, Vasant Vihar, New Delhi allotted to Sh. Tej Kumar S.I ACU-II, New Delhi. The order also shows that vacation order was passed against the applicant by the competent authority.



2. In view of the judgment of the apex court in Union of India vs. Rasila Ram & others reported in JT 2000 (10) SC 503 and another judgment of Hon'ble High Court in Smt. Babli & another vs. Govt. of NCT Delhi and others reported in 95 (2002) Delhi Law Times 144 wherein it has been held as under:

"We accordingly, hold that CAT had no jurisdiction to entertain OAs claiming allotment or regularisation of Government accommodation unless such claim was shown to be a condition of service. Nor could it assume jurisdiction where eviction action was taken against an employee for his alleged unauthorised occupation of the premises under the Eviction Act. These petitions are accordingly dismissed and Tribunal order affirmed."

The applicant has failed to show if allotment & accommodation were a of his Service Condition, he
3. *thus I am of the considered opinion that this court has no jurisdiction to entertain the OA. OA is dismissed in limini.*
However, the applicant is at liberty to file his petition before the appropriate forum.


(KULDIP SINGH)
Member (J)

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