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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 42/2002

This the 29th day of July, 2003

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

Sh. Rajesh Sharma
S/o Late Sh. Braham Dass
R/o A-196, Kidwai Nagar (East),
New Delhi-110023.

And employed as

Lower Division Clerk in CPWD,
O/o Superintending Engineer (Elec.),
PWD, Elec. Circle II,
Govt. of NCT of Delhi,
New Delhi.

(By Advocate: Sh. A.K. Bakshi)

Versus

1. The Director,
Directorate of Estates,
Government of India,
Nirman Bhawan,
New Delhi.
2. Union of India,
Through the Secretary,
Ministry of Urban Development
and Poverty Alleviation,
Department of Urban Development,
Directorate of Estates,
New Delhi.

(By Advocate: Sh. S.M. Arif)

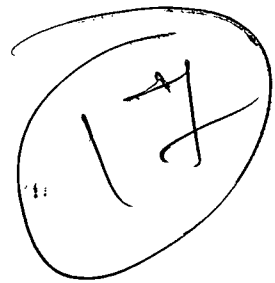
ORDER (ORAL)

By Sh. Kuldip Singh, Member (J)

Applicant has filed this OA seeking a direction to the respondents to modify the impugned order and to treat the applicant as similarly placed employees have been treated for regularisation of their accommodation.

2. Facts in brief are that applicant got compassionate appointment after the death of his father and he submitted that at the time of death of his father, his father was living in Govt. accommodation. Alongwith applicant,

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similarly situated persons who also got the appointment on compassionate grounds were occupying the Govt. accommodation, as their predecessor were also allotted the Govt. accommodation. In their case Govt. has regularised the occupancy of the Govt. accommodation but in the case of the applicant the same has not been done.

3. Counsel for respondents pointed out that when the case was considered by the Cabinet Committee on accommodation 32 cases were placed before the Cabinet Committee. However, the case of the applicant has not placed before the Cabinet Committee on accommodation for approval. Respondents have been now considering to put up the case of the applicant before the Cabinet Committee on accommodation shortly and decision would be received and would be implemented.

4. Counsel for the respondents has also pointed out that there is an office memorandum issued by Govt. of India which governs the regularisation of the accommodation occupied by the wards of those Govt. employees who have been granted compassionate appointment and the case of the applicant would be considered in accordance with the said office memorandum.

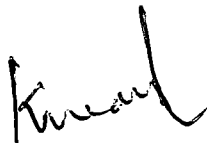
5. Counsel for the applicant pointed out that case of those 32 persons whose cases were considered earlier on accommodation, one time relaxation was granted to them in respect of regularisation of the Govt. accommodation. Applicant submits that since his father had expired earlier than those 32 persons whose cases were considered for regularisation and relaxation was granted to them in respect of regularisation within the period of getting employment and

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the period of death which have taken place in cases of successors. So his case deserves to be considered sympathetically.

6. In our view this OA can be disposed of at this stage itself with the direction to the respondents to consider the case of the applicant for regularisation of accommodation and similar relaxation may be given to the applicant in accordance with rules and instructions on the subject as the applicant is also similarly situated employee. This exercise should be completed within a period of 4 months from the date of receipt of a copy of this order.



(KULDIP SINGH)
Member (J)

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