

Central Administrative Tribunal
Principal Bench

O.A. 2191/1999

New Delhi this the 29th day of ~~November~~, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

P.M. Rana,
S/o late Shri Maha Singh,
R/o G-1/791, Sarojini Nagar,
New Delhi.

... Applicant.

(None present)

Versus

1. Union of India through
the Secretary,
Ministry of Urban Affairs,
Government of India,
Nirman Bhawan,
New Delhi.

2. Director of Estates-II,
Government of India,
Nirman Bhawan,
New Delhi.

... Respondents.

(By Advocate Shri Anil Kumar Singhal proxy for
Mrs. P.K. Gupta)

ORDER (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

The applicant has impugned the order dated 29.4.1999 issued by the Assistant Director of Estates and memo dated 25/26.8.1999, also passed by the same authority. By these orders, the applicant had been directed to vacate and hand over vacant possession of the Government quarter allotted to him, namely, G-1/791, Sarojini Nagar, New Delhi, failing which eviction proceedings were to be commenced under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

2. None has appeared for the applicant even on the second call and none had appeared even on 30.10.2000. I have carefully perused the pleadings on record and heard

Shri A.K. Singhal, learned proxy counsel for the respondents.

3. The Tribunal by ad-interim order dated 8.10.1999 had stayed the operation of the impugned orders initially for a period of 14 days which has been continued from time to time.

4. The aforesaid impugned orders have been passed by the respondents after holding an inspection and inquiry against the applicant, in which it has been alleged that the applicant had sublet the aforesaid Government quarter in contravention of the provisions contained in SR 317-B-20 of the Allotment of Government Residence (General Pool in Delhi), Rules, 1963. The applicant has alleged that the impugned orders are arbitrary and have been passed in violation of the principles of natural justice. On perusal of the records, I am unable to agree with these contentions because the applicant had been duly informed and given opportunity to put forward his case. Apart from this, as per the impugned order dated 25/26.8.1999, the respondents have also intimated him that, if he does not hand over vacant possession of the Government quarter to the concerned authority, eviction proceedings will be commenced under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. In the rejoinder, the applicant has reiterated the averments made in the O.A. and has relied on Ration Card, CGHS Card and other evidence in support of his case. He has also referred to the show cause notice issued to him by the Dy. Director in this regard. In the circumstances, I find no arbitrariness or illegality in the

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Impugned orders issued by the respondents, as alleged by the applicant, to justify any interference in the matter. The judgement of the Hon'ble Supreme Court in Union of India Vs. Raseela Ram & Ors. (Civil Appeal No. 1301-04/1990) is also relevant to the facts of this case.

5. In the result, for the reasons given above, as there is no merit in this application, O.A. is accordingly dismissed. Consequently, interim order stands vacated. No order as to costs.



(Smt. Lakshmi Swaminathan)
Member(J)

'SRD'