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Central Administrative Tribunal
Principal Bench

OA No.2580/1999

New Delhi, this the day of 5th January, 2001.

Shri Mukesh Kumar Arora,
S/o Late Shri Sain Dass Ex-Wireman,
Electrical Division No.V, C.P.W.D.
Sewa Bhavan, West Block, R.K. Puram, New Delhi.
Residing at 882, T-II) Sector-II
Sadiq Nagar, New Delhi.

...Applicant.

(By Advocate: Shri B. Krishan)

Versus

1. Union of India through the
Directorate of Estates,
4th Floor "C" Wing, Nirman Bhavan, New Delhi.
2. The Estate Officer,
Directorate of Estates,
4th Floor "B" Wing, Nirman Bhavan,
New Delhi.
3. The Superintending Engineer,
Coordination Circle (Civil),
C.P.W.D. B-107, Indraprastha Bhavan,
New Delhi 110002.

...Respondents.

(By Advocate: Shri Ms. Pratima Kr. Gupta)

ORDER(Oral)

By Hon'ble Shri Govindan S. Tampi, Member(A)

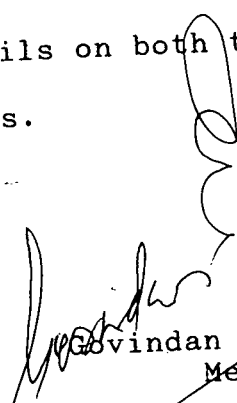
This is a case in which two pleas are made viz.
protection against eviction from the Government accommodation
continued to be occupied for a long time after the death of
the employee and compassionate appointment for the dependent
of the deceased employee.

2. Shri B. Krishan, learned counsel for the applicant
indicates that the respondents are attempting to evict the
applicant occupied by them and are also delaying the
compassionate appointment. He also invites to my attention to
the decision of the Supreme Court in the case of Sipra Bose
and Anr. Vs. Union of India CWP No 918/91 decided on
16.11.92 which he feels, covers his case. Ms. Pratima Kr.

Gupta who appears for the respondents' contents both the pleas and states that the Department is still considering the case of the applicant as and when vacancies arise. His name has been placed in the waiting list for the purpose, she says.

3. I have considered the matter, As all the matters relating to eviction of accommodation fall within the purview of Public Premises (Eviction of Unauthorised Occupant) Act 1971 they cannot be heard by the Tribunal in view of the Hon'ble Supreme Court decision in Union of India Vs. Raseela Ram. With regard to the second plea the respondents have indicated that the applicant's name is put on the waiting list and they have not rejected the case. The Tribunal does not deem it fit to give any further directions in the matter.

4. The application therefore fails on both the counts and is accordingly dismissed. No costs.
No costs.


Govindan S. Tampi)
Member(A)

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