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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

O.A.No.312/99

New Delhi, this the 10th day of February, 1999

HON'BLE SHRI N.SAHU, MEMBER(A)

Aarti Devi
w/o Late Sri Chakradhar Prasad
r/o L-201, Kasturba Nagar,
New Delhi-3.

....Applicant

(By Advocate: Ms. Richa Goyal)

Versus

1. Union of India
through Secretary
Ministry of Urban Affairs & Employment
Nirman Bhawan, New Delhi
2. Under Secretary,
Ministry of Urban Affairs & Employment
Nirman Bhawan, New Delhi
3. Director of Estates
Directorate of Estates,
Nirman Bhawan, New Delhi.
4. Assistant Director of Estates,
Directorate of Estates,
Nirman Bhawan, New Delhi. Respondents

O R D E R (ORAL)

HON'BLE SHRI N.SAHU, MEMBER(A)

The applicant impugns the order dated 10.12.98 by which the request for regularisation of Govt. accommodation No. L-201, Sewa Nagar/Kasturba Nagar, New Delhi-3 was rejected. The brief background facts are that Shri Chakradhar Prasad, employed with the Respondents, died in harness on 26.1.96 when he was only 35 years of age leaving behind a widow of 27 years. She immediately applied for a compassionate appointment and continued to stay in the said accommodation. She stayed in the accommodation for a period of over two years. On 11.3.98, the respondents approved her for compassionate appointment as Group 'D'. Soon after the receipt of the appointment

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order, the applicant applied for regularisation of the accommodation but her request was turned down by the impugned order dated 10.12.98. After this rejection order she apprehends that she might be evicted. She submitted a representation for re-consideration of her claim for regularisation of the aforesaid accommodation addressed to the Directorate of Estates, who is impleaded in this O.A. as respondent no.3. Learned counsel for the applicant states that the full facts of her representation were not placed before Respondent no.3. She further submits that with three minor children and ailing in-laws who are very aged, if the applicant is evicted out of the present accommodation, she will be literally on the roads without any accommodation for her children. She pleads for compassion and re-consideration of the decision by the Accommodation Committee and prays that the matter may be placed before the committee once again.

2. There is an inherent right of representation to a Govt. servant against the order. Under the circumstances, I dispose of this O.A. with a direction to respondent number 3 to consider the representation of the applicant and place it before the Accommodation Committee within a period of three weeks and till the matter is disposed of by the Accommodation Committee within the said period, applicant and her family members shall not be evicted from the aforesaid accommodation. If the applicant's grievance still survives after the representation is disposed of, liberty is given to the applicant to revive this O.A.

3. The O.A. is disposed of as above. No costs.

N. SAHU
(N. SAHU)
MEMBER(A)

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