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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1523/98

New Delhi this the 8th Day of September, 1999

HON'BLE MR. JUSTICE V. RAJAGALA REDDY, VICE CHAIRMAN  
HON'BLE MRS. SHANTA SHASTRY, MEMBER (A)

Govind Prasad  
S/o Late Shri Ram Charan,  
R/o Quarter No. 289, Sector 1,  
R.K. Puram,  
New Delhi.

... Applicant

(By Advocate: Shri M.K. Gupta)

Versus

1. Estate Officer.  
Directorate of Estate,  
Nirman Bhawan, New Delhi.
2. Govt. of National Capital Territory of Delhi  
Rehabilitation Service,  
12/1 Jam Nagar House,  
New Delhi-110 001.

Through Head of the Office  
& Controlling Officer

... Respondents

(By Advocate: Shri A.K. Bhardwaj through  
proxy Shri M.K. Bhardwaj).

O R D E R (Oral)

By Reddy, J

Heard the learned counsel for the applicant and the respondents.

2. The applicant's father died on 18.7.1996. The applicant was appointed on compassionate grounds on 19.9.1997. The applicant along with his mother had been living with his father in the Government accommodation bearing house No. 289, Sector 1, R.K. Puram, New Delhi. The case of the applicant was that he was entitled for the regularisation of the Govt. accommodation which had been allotted in the name of his father. The applicant,

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after his appointment., was permitted to retain the accommodation. However, by an order dated 30.7.1998, the respondents passed the impugned order stating that the applicant was occupying the quarter even after the allotment had been cancelled. The applicant was, therefore, directed to vacate the quarter. He, therefore, moved this Tribunal by way of this OA.

3. At the time of admission of the OA, the applicant was directed to continue to retain the quarter by way of interim relief. In pursuance of the notice issued by the Tribunal, the respondents filed reply stating that since the applicant was not appointed within one year from the date of the death of his father, he could not be considered for the allotment of the quarter which was allotted to his father. The policy of the Government was that the quarter <sup>L allotment</sup> in favour of the parents could be allotted in favour of the dependents who are given appointment on compassionate grounds if the said appointment was made within one year from the date of the death of the employee. It was further averred in the counter affidavit that this policy is under reconsideration and by virtue of the revised guidelines, the applicant may be entitled for regularisation of the allotment. // Since the above revised policy dated 19.11.1998 reviewed the regularisation even in the case where appointment secured by the ward within two years from the date of the death of the employee, the applicant's case would be favourably considered. It is

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also clearly averred in the counter affidavit that the above policy applies to cases where death occurred after 1.6.1996. In view of this revised policy, since father of the applicant died on 18.7.1996 and the applicant who had secured employment within two years from the date of the death of his father, is entitled for regularisation of the quarter allotted in favour of his father.

4. In the circumstances, the OA has to be allowed and accordingly the OA is allowed. The impugned order dated 30.7.1998 is quashed. The applicant <sup>is</sup> ~~is~~ <sup>should be permitted</sup> ~~directed~~ to retain the quarter. No costs.

*L. Anita S-*  
(Mrs. Shanta Shastry)  
Member(A)

*V. Rajagopala Reddy*  
(V. Rajagopala Reddy)  
Vice Chairman(J)

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