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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

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O.A.No.1414 of 1995

Dated New Delhi, this 23rd day of May, 1996.

HON'BLE MR K. MUTHUKUMAR, MEMBER (A)

Smt Nihali Devi
W/o Shri Suraj Bhan
Qtr. No.319/96
LNJP Staff Quarters
Mirdard Lane
NEW DELHI-110002.

... Applicant

By Advocate: Shri Ashish Kalia

versus

1. Union of India, through
The Medical Superintendent
Government of Delhi
G. B. Pant Hospital
NEW DELHI-110002.

2. The Admn. Officer (Estates)
Estate Cell
Maulana Azad Medical College
NEW DELHI-110002. ... Respondents

By Advocate: Shri Amresh Mathur

O R D E R (Oral)

Mr K. Muthukumar, M(A)

Admit. The applicant is aggrieved by the impugned order passed by respondents asking the applicant to hand over the vacant possession of the quarter allotted to her on the ground that it was found sublet in contravention of the rules and the applicant has been directed to pay market rent. The recovery of market rent was, however, stayed by the order of this Tribunal. The learned counsel for the

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applicant submits that the applicant has made necessary representation dated 31.8.1992 (Annexure A3 to the OA) to the respondents and subsequent representation dated 23.11.1992 duly forwarded by the higher authority (Annexure A5 to the OA) to respondent No.2. He also submits that the impugned order had been imposed on the applicant without giving her an opportunity of being heard and the order was issued without notice. In the light of these, I consider it appropriate that if the following directions are given and the application is disposed of, it would meet the ends of justice:

(1) Respondents are directed to consider the aforesaid representations of the applicant and decide the same after affording an opportunity of being heard to the applicant, by giving a reasoned and speaking order, within a period of two months from the date of receipt of a copy of this order.

(2) The said decision may be communicated to the applicant by registered post within a week from the date of taking of the decision.

(3) A copy of this order alongwith a copy of the application may be sent to the respondents by the Registry of the Tribunal, although notice on this application has already been sent to the respondents.

(4) The interim order already passed by the Tribunal, shall continue till the final decision is communicated to the applicant.

The O.A. is finally disposed of with the above observations and directions. No costs.


(K. Muthukumar)
Member(A)

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