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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

O.A. No. 1621/95

Dated 18-9-1995

Hon'ble Shri B.K.Singh, Member (A)

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

Shri Padam Singh  
s/o Shri Bhudha Ram,  
r/o 18/96, Type-I,  
MAMC Campus, New Delhi.

... Applicant

(By advocate Shri Francis Paul )

Vs.

1. The Medical Superintendent,  
G.B.Pant Hospital,  
New Delhi.
2. The Chief Secretary,  
Govt. of N.C.T. of Delhi State,  
New Delhi.
3. The Joint Secretary,  
Office of the PHC Cum-Secretary,  
(Medical-II)1, Jawahar Lal Nehru Marg,  
New Delhi.

... Respondents.

ORDER (ORAL)

(Hon'ble Shri B.K.Singh, Member (A))

We have heard the learned counsel for the applicant and perused the record of the case.

Annexure A-1 cannot be treated as an order since the allotment has not been cancelled.

2. It is an uncontroverted fact that applicant had been living with Shri Mahinder Kumar, Safaiwala of the L.N.J.P. Hospital. After his dismissal the house was allotted in favour of the applicant by the competent authority on 12.7.95. Prior to that date his occupation would be deemed to be unauthorised. He has also been served notice on 28.4.1995 as to why he should not be charged an amount of Rs 1029/-p.m. as market rent for unauthorised occupation of that house. This application is premature in the sense

3

that the allotment of the house on 12.7.95 has not been cancelled and only notice for charging rent at the rate of Rs 1029/-p.m. from the date Mahinder Kumar was dismissed till the date the house was allotted to him has been issued.

3. The applicant is directed to approach the competent authority with all the facts and the competent authority is directed to dispose of the same by following the procedure laid down under section 7 of the Public Premises <sup>Enriched of (unauthorised occupants)</sup> Act, 1953 for charging the damage rent for the public premises for the period of unauthorised occupation.

4. With the aforesaid observations the application is disposed of as premature since no grievance has arisen to the applicant as yet.

*Lakshmi Swaminathan*  
(Smt. Lakshmi Swaminathan)

Member (J)

*B*  
(B.K. Singh)

Member (A)