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Central Administrative Tribunal
Principal Bench, New Delhi.

O. A. No. 2070/95

New Delhi this the 17th day of November, 1995.

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

Sh. Jaswant Singh,
S/o late Sh. Ram Singh,
R/o 36F, Vasant Vihar,
New Delhi.

Applicant

(through Sh. D.P. Avinashi, advocate)

VER S U S

1. Union of India,
through Director General,
Central Bureau of Investigation,
Govt. of India,
Blk. 3, Kendriya Karyalaya Parisar,
Lodhi Road, New Delhi-3.

2. Estate Officer, (Supdt. of Police) (Hq)
C.B.I., Government of India,
Blk. No. 3, 4th Floor, Lodhi Road,
Kendriya Karyalaya Parisar,
New Delhi-3.

Respondents

(through Sh. M.M. Sudan, advocate)

ORDER (ORAL)
delivered by Hon'ble Sh. B.K. Singh, Member(A)

Heard the learned counsel for the parties.

This O. A. No. 2070/95 is not maintainable on
two counts:-

- (i) the Constable here is borne on the cadre of Central Industrial Security Force which is a paramilitary force of Govt. of India. There is no notification under Section 14(2) of the C.A.T. Act, 1985 with regard to C.I.S.F. The man can come on deputation but unless he is absorbed in that organisation, he continues to be

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an employee of the parent organisation;

(ii) the P.P.E. Act, 1971 prescribes the procedure laid down for eviction under Sections 4 & 5 and if there is any grievance that an aggrieved has been denied the opportunity of making oral or written submissions, he has to approach the Appellate Authority in the matter under Section 9 of the same Act, and the Appellate Authority will look into the grievance of the aggrieved party and if necessary he can quash the order and remand it back to the Estate Officer for a fresh enquiry.

The procedure has not been followed in this case. The learned counsel for the applicant agrees to withdraw this application and file the same before the A.D.J. Delhi regarding his grievance in respect of denial of opportunity to the applicant. This application is accordingly dismissed as withdrawn. However, the respondents are directed not to ^{use force} dispossess the applicant from the quarter under his occupation for two weeks from today.


(B.K. SINGH)
MEMBER(A)

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