

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

...

O.A. No.2243 of 1995

Dated New Delhi, this 20th day of May, 1996.

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

Smt. Har Dai

Wife of Late Shri Bhagwan Singh

R/o Qtr.No.WC-116 Type-I(A) /

Netaji Nagar

NEW DELHI-110023.

.... Applicant.

By Advocate: Shri S. N. Bhardwaj

versus

1. Union of India, through  
Secretary  
Government of India  
Ministry of Urban Development  
Nirman Bhawan  
NEW DELHI-110001.
2. The Director General of Works  
Central Public Works Department  
Central Office  
Nirman Bhawan  
NEW DELHI.
3. The Estate Officer and  
Executive Engineer  
Central Public Works Department  
Circle 'G', East Block No.2  
Level No.2, R. K. Puram  
NEW DELHI-110022.

... Respondents

By Advocate: Shri B. Lall

O R D E R (Oral)

Mr K. Muthukumar, M(A)

-Admit.

Heard the learned counsel for the applicant.

The applicant had been given appointment on  
compassionate grounds as a Sweepers, consequent on  
death of her husband who was working as Sewerman

Contd...2

in Central Public Works Department. Respondent No.2 had allotted a quarter in favour of the applicant's husband when he was in service. However, the respondents have issued the impugned order directing the applicant to hand over the vacant possession of the quarter as the said quarter had to be handed over to the Director of Estates for allotment under general pool.

It is admitted that the applicant has not so far filed any application with the Director of Estates for allotment of a quarter under the rules governing the allotment of adhoc accommodation in respect of the employees who have been given appointment on compassionate grounds. By an order of this Tribunal, however, the impugned order dated 15.11.1995 has been stayed and the interim relief is still in operation.

The respondents have, however, in their reply stated that the quarter allotted to the applicant's husband was only on temporary basis and he was required to vacate the same within a week as per the terms and conditions of the allotment letter. It is, however, averred on behalf of the respondents that the respondents are not the competent authority to regularise the quarter in favour of the applicant and it is for the Director

Contd...<sup>3</sup>

12

of Estates, who is not a party in this case, to consider the matter. Since the learned counsel for the applicant has already admitted that no application has so far been filed before the Director of Estates, he prays that the applicant may be allowed to approach the Director of Estates .

Having heard the learned counsel for the applicant, the application is finally disposed off with a direction to the applicant to approach the Director of Estates with a proper application for consideration of regularisation of accommodation or adhoc allotment of any other suitable accommodation in her favour under the rules applicable for such allotment to the employees who have been given appointment on compassionate grounds. The applicant is directed to submit this application within one week from the date of receipt of a copy of this order to the Director of Estates. Respondent No.2 shall forward this application to the Director of Estates within a period of one week thereafter for consideration in accordance with rules.

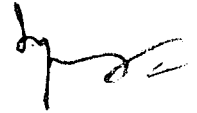
Contd...3

h

13

In the meanwhile, the respondents are directed not to dispossess the applicant from the premises for a period of 45 days from the date of receipt of a copy of this order. No costs.

A copy of this order be given to the parties.



(K. Muthukumar)  
Member(A)

dbc

Q