

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

12

O.A. NO. 2295/1995

New Delhi this the 16th day of May, 1996.

HON'BLE SHRI JUSTICE A. P. RAVANI, CHAIRMAN
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

1. Banmali Dass S/O Late
N. L. Dass, R/O E-19,
Rouse Avenue,
New Delhi-2.
2. Sanjay Kumar Dass S/O
Banmali Dass,
R/O E-19, Rouse Avenue,
New Delhi. ... Applicants

(By Shri J. K. Bali, Advocate)

-Versus-

1. Union of India through
Secretary, Ministry of
Urban Affairs and Employment,
Nirman Bhawan, New Delhi.
2. The Director,
Directorate of Princing,
'B' Wing, Nirman Bhawan,
New Delhi.
3. The Manager,
Govt. of India Press,
Minto Road, New Delhi.
4. The Manager,
Govt. of India Press,
Ring Road, New Delhi. ... Respondents

(By Shri Madhav Panikar, Advocate)

O R D E R (ORAL)

Shri Justice A. P. Ravani —

Applicant No.1 was serving as Compositor in the Government of India Press. He retired on the afternoon of January 31, 1995. He occupied Government quarter No. E-19, Rouse Avenue, Delhi. He was sought to be evicted from the said quarter. However, applicant No.2, the son of applicant No.1, got Government job in the forenoon of January 31, 1995. On this ground, he claims that he should not be evicted from the quarter in question. The Estate Officer as per order

ppsl

dated November 22, 1995 (Annexure-A) passed order of eviction without even referring to the question as to whether the applicant No.2 was required to be allotted and/or regularised occupation of the quarter. It is this order which is under challenge in this C.A.

2. When the application came up for hearing, the learned counsel for the respondents submitted that applicant No.2 would be eligible for being allotted a quarter of one type below as per the provisions of relevant rules. He, however, submits that within a period of three months, applicant No.2 will be allotted the residential quarter of the type to which he is entitled to, that is, type II.

prb. 3. In view of the aforesaid facts and circumstances, *by the learned counsel for the respondents* we are of the opinion that if the following directions are given and the application is disposed of, it would meet the ends of justice :-

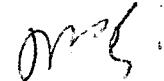
prb. Respondent No.4, that is, Manager, Government of India Press, Ring Road, New Delhi, shall pass appropriate order of allotment of quarter in favour of applicant No.2, Shri Sanjay Kumar Dass, within a period of three months from today. Respondent No.4 shall also see to it that after passing the order of allotment the possession of the same is handed over to applicant No.2 within the aforesaid period. On receipt of order of allotment and the possession of the quarter by the applicant No.2 pursuant to the order that will be passed by respondent No.4 herein, the applicants shall immediately vacate the quarter presently occupied by them. The arrears of dues or that may have been already demanded that may be demanded by the respondents shall be paid *prb.*



by the applicants within one month from today. In case the applicants have any dispute with regard to the arrears that may be demanded by the respondents, it will be open to them to raise the dispute in regard to the dues in accordance with law. Till the residential accommodation is allotted to applicant No.2 as stated above, the applicants shall not be evicted from the quarter in question.

4. With the aforesaid directions and observations, this application stands disposed of. No costs.


(K. Muthukumar)
Member (A)


(A. P. Ravani)
Chairman

/as/