

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

...

O.A.No.2321 of 1995

Dated New Delhi this 9th day of April, 1996.

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

Sukhbir Singh  
S/o Late Shri Brahmjit  
Working as Record Clerk in the  
Office of the Controller of  
Defence Accounts(Air Force)  
West Block-V  
R. K. Puram  
NEW DELHI.

... Applicant

By Advocate: Shri S. C. Saxena

versus

1. Union of India, through  
Secretary  
Ministry of Defence  
South Block  
Government of India  
NEW DELHI.

2. Controller General of  
Defence Accounts  
West Block-V  
R.K. Puram  
NEW DELHI.

3. The Estate Officer  
Assistant CDA  
Area Account Officer  
Western Command  
Tigris Road  
Delhi Cantt.

4. The Estate Officer  
Directorate of Estates  
Nirman Bhawan  
NEW DELHI.

... Respondents

By Advocate: Mrs Pratima K. Gupta

O R D E R (Oral)

Shri K. Muthukumar, M(A)

Heard the learned counsel for the parties.

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The matter involved in this application being a short one, is being disposed of by the following order at the admission stage itself.

The applicant is a Record Clerk under respondent No.1,2 & 3. A departmental accommodation No.70 Type-B, Panchwati was allotted to him. His grievance is that the respondents have cancelled the allotment consequent on his transfer to an office under respondent No.4 in which he will be eligible for general pool accommodation and he had been asked to vacate departmental accommodation. This application is directed against this order of eviction of departmental pool accommodation.

The respondents, in their reply, have stated that due to certain complaint received against the applicant's son in the colony from the Residential Colony Welfare Committee, Panchwati Palam, Delhi Cantt, it was decided to cancel the allotment of the applicant and he was asked to pay damage rent. However, further time was granted for vacating the said quarter till 30.10.1995. In the meanwhile, the applicant was transferred and he ceased to be eligible for retention of the departmental pool

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accommodation and consequent on his transfer he has become eligible for general pool accommodation. He states that respondent No.4 has already allotted alternative accommodation. The applicant however, has refused to accept this on medical grounds. It is seen, however, that no such averment has been made in the application. However, at the Bar, the learned counsel for the applicant submits fairly that the applicant has been suffering from heart and other diseases and the respondent No.4 has allotted him a quarter in 3rd storey and, therefore, he is unable to shift to this accommodation. He also submits that the applicant will be willing to shift to any other accommodation if it is provided in the ground or first floor.

In view of the above submissions, the learned counsel for the respondents states that respondent No.4 will be able to consider his request for a change of accommodation if a suitable request is made alongwith medical certificate from competent medical authority.

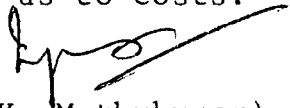
The application is, therefore, disposed of with a direction to the applicant to submit a representation to respondent No.4 within two weeks from the date of receipt of a copy of this order

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duly supported by medical certificate from competent medical authority, praying for allotment of alternative accommodation to him. On receipt of the representation, the respondents will consider this request and allot him a suitable accommodation preferably in ground floor or first floor, within a period of four weeks thereafter. The departmental representative present here also states that the respondents will be able to consider this request of the applicant at the earliest.

With the above directions, this O.A. is finally disposed of without any order as to costs.

  
(K. Muthukumar)  
Member(A)