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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 113 of 1995

New Delhi this the 12th day of March, 1996

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

1. Shri R. Kannan  
S/o Shri K. Raman  
R/o No.33, Road No.3,  
Andrews Ganj,  
New Delhi-110 49.
2. Shri K.J. Raman  
R/o No. 33, Road No.3,  
Andrews Ganj,  
New Delhi-110 049. ..Applicants

By Advocate Shri E.X. Joseph

Versus

1. Union of India through  
the Secretary,  
Government of India,  
Min. of Urban Development,  
Nirman Bhavan,  
New Delhi.
2. The Director of Estates,  
Min. of Urban Development,  
Nirman Bhavan,  
New Delhi-110 011.
3. The Director General of Security,  
Director General of Security,  
Office of the Director,  
Aviation Research Centre,  
Block No.5 (East),  
R.K. Puram,  
New Delhi-110 066.
4. The Director General of Meteorology,  
India Meteorological Deptt. Office of the Director  
General of Meteorology, Lodhi Road, New Delhi. Respondents

Shri J. Banerjee, proxy counsel for Shri Madhav Pannikar, Counsel

ORDER (ORAL)

Hon'ble Mr. K. Muthukumar

The matter is simple and is, therefore,

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disposed of at the admission stage itself.

The applicant's father was a Deputy Director General, Meteorology, <sup>and</sup> retired on 30.11.92. At the time of retirement, he was occupying the departmental pool accommodation meant for operational staff. It is an admitted position that before his allotment in the operational pool quarter, he was given accommodation in a general pool. In the said accommodation, he was living with his son, who was applicant No.1 in this case. Subsequent to the retirement of the father, applicant No.2, the son, got employment under the respondent No.3 as Deputy Field Officer. Consequent on retirement, the applicant No.2 had vacated the departmental pool accommodation on 09.10.1993. In this application, the applicants have prayed for a direction to the respondent No.2 to make ad hoc allotment of suitable general pool accommodation in favour of applicant No.1 in view of the fact that the applicant No.1 would have normally been eligible for an ad hoc allotment in the general pool had the applicant No.2 continued in the general pool without changing over to the operational pool consequent on ~~his~~ allotment of operational pool accommodation. It is stated that the applicant No.2 has been in operational pool for almost a period of 5 years before his retirement.

The respondents have stated that the applicant No.1 is ab initio eligible for consideration only in the general pool and there is

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no provision for giving him an out-of-turn allotment. There is no provision for considering him ~~for~~ out-of-turn allotment for General Pool accommodation on the ground that his father was occupying a departmental pool accommodation at the time of his retirement.

Having heard the learned counsel for the parties and seeing the record, I find that the applicant/<sup>No.1</sup> has made a representation through his department, which in turn, was forwarded to respondent No.3. This representation is dated 15.10.1993, i.e., soon after the applicant No.1 was appointed in Government service. The representation has also been forwarded by the department. Therefore, this application is disposed of with a direction to respondent No.2 to consider the representation dated 15.10.1993 forwarding the application of the application No.1, Annexure A-1. The applicant/<sup>No.1</sup> is also directed to furnish a copy of the aforesaid representation to the respondent No.2 duly forwarded by the department within a period of 15 days and the respondents are further directed to consider this representation and give a reasoned reply within a period of 2 months from the date of the receipt of a copy of the representation.

The respondent No.4 is also directed to consider the question of levy of damage rent for the period of over stay in accordance with the rules.

The application is disposed of with

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the above directions. No costs.



(K. MUTHUKUMAR)  
MEMBER (A)

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