

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 1252 of 1996

New Delhi, Dated the 7th June, 1996

HON'BLE MR. S.R. ADIGE, MEMBER (A)

1. Shri M.H. Naqvi,
68-D, Thompson Road,
New Delhi.

2. Shri Parvez Naqvi,
68-D, Thompson Road,
New Delhi.

..... APPLICANTS

(By Advocate: Shri Shahid Azad)

VERSUS

1. Union of India through
the Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.

2. Director of Estates,
Nirman Bhawan,
New Delhi.

3. The Estates Officer,
Directorate of Estates (Litigation),
Nirman Bhawan,
New Delhi.

4. Delhi Administration,
Through the Secretary,
5, Sham Nath Marg,
Delhi.

..... RESPONDENTS

JUDGMENT

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

In this application Shri M.H. Naqvi
has sought for regularisation of Qr. No.68/D,
Thompson Road, New Delhi.

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2. The applicant's case is that his father applicant No.1 who was Vice-Principal, Govt. Boys Sr. Sec. School, Jamamasjid was allotted Qr. No.68/D, Thompson Road, New Delhi which is a Type-D quarter. He retired from service on 31.3.95. The applicant states that he is working as C.I. (Motor Mechanic) I.T.I. Arab Ki Sarai, Nizamuddin, New Delhi and was appointed as such on 7.12.95.

3. The applicant has not produced any material to show that he is in the pay scale that makes him eligible for allotment of Type-D accommodation. Moreover, I note that the I.T.I., Arab-Ki-Sarai, Nizamuddin where the applicant is working is not in the list of offices eligible for General Pool accommodation vide Director of Estates Notification dated 26.10.93. The applicant has contended that this list is unreasonable, unjust and a piece of colourable legislation as it discriminates the offices of the same standard and is therefore violative of Articles 14 and 21 of the Constitution, but in the relief clause no prayer has been made to quash and set-aside the said list.

4. As prima-facie the applicant has failed to furnish any material to establish that he is entitled to regularisation of the premises in quesiton and the applicant is not employed in an office eligible for General Pool accommodation in Delhi, prima facie no relief can be granted to him and this O.A. is

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dismissed at the admission stage itself.

S.R. Adige

(S.R. ADIGE)
Member (A)

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