

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI. (2)

O.A. No. 1977/96

Date of decision 15.10.96

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri M.S. Chandrashekhar
son of Shri O.M. Sundharam
R/o 172-K
Aram Bagh, Type-II
New Delhi. 110055

... Applicant
(By Advocate Shri D.C. Vohra)

Vs.

1. Union of India through
the Foreign Secretary, Govt. of India
Ministry of External Affairs, South Block,
New Delhi-110011.
2. Director of Estates,
Ministry of Urban Development,
Nirman Bhawan, New Delhi-110011

... Respondents
(By Advocate Shri R.V. Sinha)

ORDER (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

Both counsel heard.

2. Shri R.V. Sinha, learned counsel for the respondent submits that the representation filed by the applicant dated 8.8.96 (Ann. A.9) requesting the respondents to permit him to retain quarter No. 172-K, Aram Bagh, New Delhi consequent upon his posting to Embassy of India, Kiev, is still under consideration of the respondents and that has not been disposed of. He, therefore, submits that this O.A. which has been filed on 13.9.96 is premature and is based on apprehensions ~~that~~ ^{of} the requests made by the applicant may not be acceded to by the respondents. However, learned counsel for the applicant submits that apart from the grounds taken in the representation, the applicant also relies on the judgment of the Tribunal

(3)

in OA 1178/90. (Mr. Charles Toppo Vs. U.O.I. & Ors) decided on 18.5.93 (copy placed at Ann.A.10). Shri Sinha, therefore, submits that he has no objection if the respondents are directed to dispose of the representation dated 8.6.96 in accordance with law and having regard to the aforesaid judgment of the Tribunal in OA 1178/90.

3. Having considered the records and the submissions of the learned counsel for both the parties, this OA is disposed of directing the respondents to consider the representation made by the applicant dated 8.6.96 in accordance with the relevant rules and taking into consideration the judgment in the similar case ^{of} Mr. Charles Toppo ^(supra) and pass a speaking and reasoned order. Till such time, the reply of the respondents is given to the applicant, the status quo regarding the house, in question, shall be maintained.

4. O.A. is disposed of as above. No order as to costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

Member (J)

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