

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

D.A. No. 2281/96

New Delhi this the 8th day of November 1996

Hon'ble Shri R.K.Ahooja, Member(A)

Miss Achla Baghati
D/O Late Sh. M.L.Bhagati,
Aged about 24 years
R/o C-199, Mintoo Road,
Opposite Ranjit Hotel,
New Delhi.

(By Advocate: Shri Vijay Pandita)

....Applicant

Versus

1. Union of India through
Directorate of Estates,
Ministry of Housing and Urban
Development,
Nirman Bhawan, New Delhi.
2. Secretary, Ministry of Urban
and Housing Development, Nirman Bhawan,
New Delhi.
3. Govt. of NCT of Delhi through
Chief Secretary,
5, Sham Nath Marg, New Delhi.
4. Director, Training and Technical Education
Govt. of NCT Delhi.
5. Principal, G.B.Panth Polytechnic
Okhla, New Delhi.
6. Principal,
Govt. Boys Senior Secondary School,
Patwadi House,
Darya Ganj New Delhi.
7. Controller of Accounts,
Govt. of NCT Delhi,
Mori Gate Delhi.
8. Estate officer,
Directorate of Estates,
Nirman Bhawan,
New Delhi.

....Respondents

(By Advocate: Shri R.V.Sinha alongwith
Shri S.K.Gupta, Proxy for
Shri B.S.Gupta)

ORDER(Oral)

Hon'ble Shri R.K.Ahooja, Member(A)

The applicant's father who was serving in the
Directorate of Technical Education under respondent No-4

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was allotted quarter No. C-199, Mintoo Road. He died on 8-10-93. Thereafter the applicant secured compassionate appointment as LDC on 29-9-95. She applied for regularisation of the aforesaid quarter in her name on 4-10-95 and 11-6-96. She submits that no reply was given to her application. Instead she received a letter from Asstt. Director of Estates stating that no request for regularisation of quarter appears to have been received to enable the Directorate to examine that case. She was also informed that she was in unauthorised possession and ^{should} vacate the quarter as its allotment had been cancelled u.e.f. 8-10-94.

2. Respondent No. 1 & 2 appeared on notice. I have heard the learned counsel on both sides. The allotment of the quarter has not been regularised in favour of the applicant since she secured appointment after the stipulated period of 12 months. However her representation dated 8-10-96 is till pending before the Chief Secretary NCT Delhi. In view of the fact that the compassionate appointment has been secured after the requisite period of 12 months, the relief sought for by the applicant that eviction proceedings be stayed and the respondent should be directed not to charge the damage/market rent cannot be granted. However considering the circumstances of the family, respondent No.3 is directed to dispose of the representation of the applicant at Annexure A-3 within one month from the date of receipt of this order.

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3. The application is disposed of with the above direction. MA is also disposed of accordingly, No costs.

Rel. Ahaj -
(R.K. AHOOJA)
Member(A)

cc.