

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL NEW DELHI

O.A. No. 2289/96
T.A. No.

199

(2)

DATE OF DECISION 28.10.96

Smt. Asha Prasad

Petitioner

Sh. I. C. Sudhir

Advocate for the Petitioner(s)

Versus

Union of India & Ors

Respondent

Advocate for the Respondent

CORAM

The Hon'ble Mr. S. Lakshmi Swaminathan, Member(J)

The Hon'ble Mr.

1. To be referred to the Reporter or not? *Yes*

2. Whether it needs to be circulated to other Benches of the Tribunal? *X*

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

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O.A. No. 2289/96

Date of decision 28.10.1996

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

Smt. Asha Prasad
W/o Shri M.K. Prasad,
D/O Sh. Raghu Nath Prasad,
R/O C-108, Kidwai Nagar,
New Delhi-110023

.... Applicant

(By Advocate Shri I.C. Sudhir)

Vs.

1. Union of India,
Ministry of Human Resources,
Development (Deptt. of Education)
through its Secretary, Shastri Bhawan,
New Delhi.
2. The Directorate of Estate,
through its Director,
Ministry of Urban Affairs and Employment,
Nirman Bhawan, New Delhi.
4. Estate Officer,
Directorate of Estate (Litigation)
Nirman Bhawan, New Delhi.
5. Union of India, Ministry of Labour,
through its Secretary,
Shram Shakti Bhawan, New Delhi.

.... Respondents

O R D E R (ORAL)

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

Heard.

The applicant is aggrieved by the letter dated 27.8.96 rejecting her request for regularisation of quarter No. C-108, Kidwai Nagar, New Delhi in her name. on the ground that she has two brothers who are married and well settled. The applicant's father had retired from Govt. service on 31.1.1996. The applicant had joined Govt. service on 13.10.86. From the perusal of the letter dated 27.5.96 (Ann.A.3), it is clear that

the applicant's contention is that since her ^(A)mother who is aged 56 years is suffering from Rheumatoid Arthritis and there is no body except her father to look after her ailing mother, her both brothers are employed out of Delhi and due to that they are unable to look after the parents, she intends to shift to the aforesaid accommodation which had been earlier allotted to her father. She has therefore, requested that her HRA may be stopped from her salary for the month of June, 1995^{(sic) 18} onwards.

3. Learned counsel for the applicant submits that although the applicant has not fulfilled the conditions of ad hoc allotment on the retirement of her father, including such allotment to^a married daughter, as she admits that she has not been residing with the parents^{for} at least three years without claiming HRA, ¹⁸she submits that these terms and conditions may be relaxed.

4. I have carefully considered the submissions and the records of this case. I find no merit in this application as the applicant has herself admitted that she has not fulfilled the terms and conditions of the O.M. dated 17.12.1991 for ad hoc allotment of Genl.Pool accommodation. In the facts and circumstances of the case, this application is dismissed at the admission stage.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

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