

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

NEW DELHI

OA No. 2421/96

New Delhi this the 23th day of April, 1997

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

Shri Pawan Kumar Sharma
s/o late Sh. Suraj Bhan Sharma
R/0573, Sector-4, Timarpur,
Delhi-54

Presently working as Reon in Institute
of Nuclear Medicine and Allied Sciences,
Defence Research & Development Organisation,
Timarpur, Delhi-54.

(By Advocate Shri A.K. Behera)

... Applicant

Vs.

1. Director,
Directorate of Estates,
Govt. of India,
Ministry of Urban Affairs & Employment,
Nirman Bhawan, New Delhi-110011

2. Director,
Institute of Nuclear Medicine & Allied
Sciences, Deptt. of Defence Research &
Development (Ministry of Defence)
Timarpur, Delhi-110054.

... Respondents

(By Advocate Shri R.V. Sinha)

ORDER (ORAL)

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

I have carefully perused the pleadings and considered the submissions made by the learned counsel for the parties. It is seen from the reply filed by the respondents that the impugned order charging damage rent amounting to Rs. 99,987/- issued to the applicant has since been withdrawn by the respondents vide their letter dated 19.12.1996. The respondents have also stated that the applicant will be charged normal licence fee of the quarter presently occupied by him i.e. Qr. No. 573, Sector-IV Timarpur upto the 8th day of offer of allotment of the type of the quarter, he is entitled to i.e. type-A accommodation. This type of accommodation which the respondents themselves have allotted is in lieu of the earlier allotted type A quarter No. 99, Sector-IV, Timarpur.

2. In the light of the submissions made by the respondents

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themselves the impugned order dated 3.10.96 is quashed and set aside. The respondents shall allot Type-A accommodation as per the entitlement of the applicant as soon as possible till which date he shall be allowed to continue in the present accommodation on the normal licence fee, as admitted by them, and in accordance with the rules. If an alternative accommodation is made to the applicant, he shall vacate the higher type accommodation i.e. Qr.No.573, Sector-IV, Timarpur within the stipulated period failing which he shall be liable for all other consequences in accordance with the rules.

3. Shri Behera, learned counsel for the applicant has submitted that since the applicant is a group 'D' employee the rent from quarter No.573, Sector-IV, Timarpur which he agrees to pay should, however, be recovered from him in instalments. On this question, if a representation is made by the applicant, the respondents may consider it sympathetically and allow him to pay the arrears of rent in instalments as permissible under the rules.

D.A. is disposed of as above. No order as to costs.

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

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