

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

...

O.A.No.526 of 1996

Dated New Delhi, this 24th day of May, 1996

HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Chandra Prakash Sharma  
S/o Shri R. D. Sharma  
R/o C-188 Delhi Administration Flats  
Sidhora Kalan  
DELHI-110052.

... Applicant

By Advocate: Mrs Rani Chhabra

versus

1. The Delhi Administration, through  
Government of Delhi  
through Under Secretary (Allotment)  
Vikash Bhawan, I. P. Estate  
NEW DELHI.

2. The Directorate of Estate  
through the Director  
Nirman Bhawan  
NEW DELHI. ... Respondents

By Advocate: None.

(Shri Kaushal Kumar, Asst., departmental  
representative.)

O R D E R (Oral)

The learned counsel for the applicant  
has filed an additional affidavit, a copy of which  
has already been given to the opposite side. In  
Annexure A-9 of the additional affidavit, the  
respondent no.2 has forwarded a copy of the  
representation received from the applicant to  
respondent no.1, viz. Secretary, Land & Building  
Department, Vikas Bhawan, New Delhi, informing him  
that the applicant is entitled to retain the Govern-

ment accommodation at the last place of posting on payment of rent at twice the normal rate of licence fee as per provisions of the Directorate's O.M. dated 22.9.1992 and it is stated that the above orders are also extended upto 31.3.1998 vide order dated 9.8.1995 (Annexure A-5 to the O.A.) and respondent no.1 has been requested to look into the matter.

The learned counsel for the applicant states that in view of the controversy whether the applicant should retain the departmental accommodation provided under the State Government as it is the Central Government which has to provide the suitable accommodation as the matter is not free from doubt, she prays that the matter may be kept pending.

In view of the above, the applicant is directed to send a suitable representation to respondent no.2 explaining the position and seeking specific direction in regard to any adhoc allotment that could be provided to him in view of his posting to the border or suitable arrangement to respondent no.1 in regard to retention of the accommodation by the applicant. Respondents are directed to consider the representation within a period of two months from the date of receipt of a copy of this order and

communicate the decision to the applicant by a reasoned and speaking order within three days after such a decision is made, by the Registered post alongwith another copy by ordinary post under certificate of posting. If the applicant is aggrieved by the decision taken by the respondents, it is open to him to seek appropriate remedy before appropriate forum.

A copy of this order may also be sent to the Secretary, Land & Building Department, Vikash Bhawan, New Delhi, alongwith a copy of this / in the light of Annexure A9. application for taking suitable action at his end. In the meanwhile, the respondents are restrained from dispossessing the applicant from the present quarter.

With the above observations and directions, the O.A. is disposed of finally without any order as to costs.

  
(K. Muthukumar)  
Member(A)

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