

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.922/96

New Delhi this the 6th day of May 1996.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr R.K.Ahooja, Member (A)

1. Ujagar Singh
S/o Kishan Singh
180 Sector-I, R.K.Puram
New Delhi-22

2. Km. Sunita Pal
D/o of Ujagar Singh
180 Sector-I, R.K.Puram
New Delhi-22

(By Advocate: G.S.Lubana, Advocate)

...Applicants

Versus

Union of India through

1. Secretary to Govt. of India
Ministry of Urban Development
Nirman Bhavan
New Delhi.

2. The Director of Estates
Dte. of Estates
Nirman Bhavan
New Delhi.

...Respondents.

ORDER (Oral)

Sh.A.V.Haridasan, Vice Chairman (J)

The applicants two in number have prayed that a direction may be given to the respondents to make ad-hoc allotment to the applicant No.2 of quarter No. 180, Sector-I, R.K.Puram. The applicant No. 1, a government servant, was allotted the quarter in question. He retired from service on 28.2.95, but he was allowed to retain the quarter till 31.10.95. The second applicant was appointed as a Librarian and she took charge on 10.11.95. She applied for regularisation of the quarter in her name, but no order has been passed on that. In the meanwhile, an order of eviction under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 has been passed against the applicants. The applicant approached the Appellate Authority, namely, the District Judge, Delhi. Before the District Judge, the applicant No.1 undertook that he would vacate

(2)

the premises by April 1996. Thereafter, now the applicant has filed this application for the aforesaid relief.

2. We do not find even a *prima facie* case which enables the applicant No.2 to seek regularisation of the quarter in question in her name. She was not in employment of the government prior to the date on which the first applicant retired from service. According to rules, therefore, she is not entitled to get ad-hoc allotment of the quarter. The order for eviction has been passed by the Competent Authority in accordance with the rules and the applicant No.1 undertook to vacate the premises by April 1996. This application is only an abuse of the process of law. We, therefore, reject this application under section 19(3) of Tribunals Act.


(R.K. Ahooja)

Member (A)

aa.


(A.V. Haridasan)

Vice Chairman (J)