

Central Administrative Tribunal, Principal Bench

O.A. 1056/96

New Delhi, this the 27th day of April, 2000

Hon'ble Mr. S.R. Adige, Vice Chairman (A)  
Hon'ble Mr. Kuldip Singh, Member (J)

(66)

Indian Council of Agricultural Research  
Krishi Bhawan,  
New Delhi

Through

The Director,  
Indian Agricultural Statistical  
Research Institute,  
Pusa,  
New Delhi. . . . . Applicants

(By Advocates: Shri V.K. Rao and Ms. Geetanjali Goyal)

Versus

Shri Mangal Singh  
r/o Quarter No. 19, Type-III,  
K.N.P.V.,  
New Delhi. . . . . Respondent

ORDER (ORAL)

By Hon'ble Mr. S.R. Adige, Vice Chairman (A)

1. In this O.A. applicants (ICAR) seek a declaration that the retention of quarter No. 19, Type-III, Krishi Niketan, Paschim Vihar, New Delhi, by respondent Shri Mangal Singh is illegal. They seek a direction to him to vacate the quarter immediately along with a direction to him to pay the arrears of damage charges amounting to Rs. 9490/- and also continue to pay damage charges till the vacation of the quarter.

2. We have heard Shri V.K. Rao, learned counsel for the applicants. None appeared on behalf of respondent.

3. Our attention has been invited to the Central Administrative Tribunal, Principal (Full) Bench order

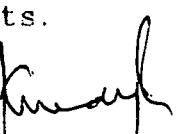
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dated 13.1.2000 in this very OA, in which the point of reference "whether an employer can come to the Tribunal for a declaration against a retired employee relating to the alleged unauthorised occupation of the accommodation which had been allotted to him while he was still in service and for recovery of damages for the period the retired employee continued to occupy the accommodation unauthorisedly", was answered in the affirmative.

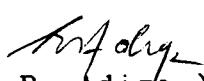
(67)

4. It is not denied that applicant continues to be in occupation of the aforesaid quarter, although he retired on superannuation on 31.10.1994.

5. This O.A., therefore, succeeds and is allowed to the extent that respondent Shri Mangal Singh is directed to vacate the aforesaid Quarter No.19, Type-III, Krishi Niketan, Paschim Vihar, New Delhi within 2 months from the date of receipt of a copy of this order, with liberty granted to applicants to recover licence fee for the period of unauthorised occupation of the accommodation in accordance with <sup>Rules 7</sup> ~~law~~ and instructions on the subject. No costs.

  
( Kuldip Singh )

Member (J)

  
( S.R. Adige )  
Vice Chairman (A)

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