

(12)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

OA-1076/96  
MA-881/2000

New Delhi this the 2nd day of January, 2000.

Hon'ble Sh. S.R. Adige, Vice-Vhairman(A)  
Hon'ble Dr. A. Vedavalli, Member(J)

Sh. Pradeep Kumar,  
S/o Sh. R.N. Zaipuri,  
R/o F-33/2, Andrews Ganj,  
New Delhi. .... Applicant  
(through Sh. Sarvesh Bisaria, Advocate)  
Versus

1. Union of India through  
Secretary,  
Ministry of Urban Development,  
Nirman Bhawan,  
New Delhi.
2. Director of Estates,  
Nirman Bhawan,  
New Delhi. .... Respondents  
(through Sh. S.M. Arif, Advocate)

ORDER (ORAL)

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)

Applicant impugns respondents order dated 16.04.96, demanding penal rent/damages in regard to Quarter No. 33/2, Andrews Ganj, New Delhi, for alleged over stay.

2. Applicant <sup>also</sup> seeks a direction to respondents to decide his case for allotment of the Government quarter in terms of the Tribunal's order dated 15.07.93 in OA-66/91.

3. Sh. Sarvesh Bisaria appeared for applicant and Sh. S.M. Arif appeared for respondents and they have been heard.

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4. A perusal of the impugned order dated 16.04.96 makes it clear that the aforesaid order has been issued pursuant to action taken against applicant under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

5. In this connection, our attention has been invited to the orders dated 06.09.2000 of the Hon'ble Supreme Court in Civil Appeal Nos. 1301-04/1990 (U.O.I. Vs. Rasila Ram & Ors.), wherein it has been held that the Tribunal has no jurisdiction to go into the legality of the orders passed by the competent authority under the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

6. As the impugned order dated 16.04.96 has been issued pursuant to orders passed under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, we find ourselves difficult to interfere in the matter, owing <sup>to lack</sup> ~~matter~~ of jurisdiction.

7. With the above observations, the O.A. is disposed of.

8. However, it is open to applicant to seek such other remedies as are available to him in accordance with law.

No costs.

A. Vedavalli  
(Dr. A. Vedavalli)  
Member(J)

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