

10  
CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH  
NEW DELHI.

C.P.No. 381/97

26.2.1998

IN

O A No. 1605/97

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A)

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

W/ Ct. Sarla No. 2142/ DAP,  
W/o Sanjay Kaushik,  
R/o C-94, New Police Lines,  
Kingsway Camp, Delhi ..... Applicant.

(by Advocate: Mrs. Sumedha Sharma).

Versus

1. Shri T. R. Kakkar,  
Commissioner of Police,  
PHQ, IP Estate ITO, MGO Building,  
New Delhi.

2. Shri T. S. Luthra,  
Dy. Commissioner of Police,  
Head Quarters (III),  
IP Estate,  
New Delhi.

..... Respondents.

(By Advocate: Shri Raj Singh)

ORDER

BY HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A)

Heard.

2. Respondents' order dated 19.1.98, passed pursuant to the Tribunal's judgment dated 24.9.97 in O A - 1605/97 and further directions dated 6.1.98 cannot be faulted, not only because the applicant being the daughter-in-law of the earlier allottee, is not entitled to out of turn allotment/regularisation of the quarter in question as per rules, but also because as per her own showing she had not shared the aforesaid accommodation for the required period of six months prior to the earlier allottee's retirement.

3. The threat of contempt action cannot be

7

11

used to compel respondents to pass an order in contravention of, or in relaxation of rules, even if, or because, in another case respondents have relaxed or contravened the rules. The Hon'ble Supreme Court's ruling in Chandigarh Administration & another Vs. Jagjit Singh & Another -JT 1995 (1) SC 45 is clear on this point.

4. The CP is therefore dismissed and notices to alleged contemnors are discharged. Interim order, if any, stands vacated.

*Lakshmi Swaminathan*

( MRS. LAKSHMI SWAMINATHAN )  
MEMBER(J)

*S.R. Adige*

( S.R. ADIGE )  
VICE CHAIRMAN (A).

/ug/