

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No.1198 of 1997

New Delhi, this the 1st day of October, 1997

Hon'ble Mr. N. Sahu, Member (Admnv).

Bhagawati Prasad, Work Shop Attendant,
Meera Bai Polytechnic, Maharani Bagh,
New Delhi, R/o Quarter No.40 Type II,
Meera Bai Polytechnic Campus, Maharani
Bagh, New Delhi.

-APPLICANT

Versus

1. The Director,
Training & Technical Education,

2. The Deputy Director (Admn),
Training & Technical Education

{Both Seated At : Directorate of
Training & Technical Education,
Govt. of N.C.T., Delhi 'C' Block,
Vikas Bhawan, I.P. Estate, New Delhi}

3. The Principal, Meera Bai Polytechnic,
Maharani Bagh, New Delhi

4. Smt. Arvinder Kaur, Lecturer, Meera
Bai Polytechnic, Maharani Bagh,
New Delhi. R/o Qr. No. 14, Type III,
I.T.I., Shahdra, New Campus, Delhi

-RESPONDENTS

(By Advocate Shri S.K. Gupta proxy of
Shri B.S. Gupta)

J U D G M E N T (O r a l)

By Hon'ble Mr. N. Sahu, Member (Admnv)-

When the case was called in the afternoon
none for the applicant was present. It is noticed that
on 8.9.1997 and 30.9.1997 there was no response from
the applicant's side. Only the counsel for the
respondents was present on both the occasions.
Apparently, the applicant has lost his interest in
pursuing this O.A. The pleadings are complete. I have
heard the respondents' counsel and shall dispose of the
O.A.

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2. The applicant is aggrieved against the order of respondent no. 2 dated 15.5.1997 (Annexure-A-5) whereby Qr.No.29, Meera Bai Polytechnic Campus, New Delhi was allotted to respondent no.4. It is prayed that this order be quashed and respondents 1 and 2 be directed to consider the applicant's applications dated 11.3.1997 and 17.3.1997 for change of accommodation.

3. The admitted facts are that the applicant applied for change of quarter from Type II to Type III during December, 1996 and gave three locality preferences out of which there were no vacancies in the first two, namely, Meera Bai Polytechnic Campus and Sunlight colony. Four quarters of G.B.Pant (New Campus) and one quarter of Aryabhat Polytechnic were vacant on the date of consideration. The applicant did not accept the offer of allotment of quarter no.15 in Type III at G.B.Pant Polytechnic Campus, which was his third preference. Accordingly, he was debarred under Rule 10 of Delhi Administration Allotment of Government Residences (General Pool) Rules, 1977 for a period of one year. With regard to respondent no.4 she applied for change of accommodation within the same category from Shahdara Campus to Meera Bai Polytechnic Campus on medical grounds and she was given an allotment on medical consideration.

4. It is stated by the learned counsel for the respondents that the case of respondent no.4 was considered for allotment on 7.5.1997 and an order of allotment was issued to her on 15.5.1997. It is further stated by the learned counsel for the

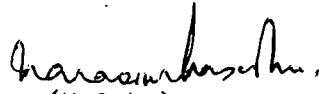
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respondents that at the time when the applicant's case was considered on 26.2.1997 there was no accommodation available in Meera Bai Polytechnic Campus and consequently the offer of quarter at G.B.Pant Polytechnic Campus dated 6.3.1997 was issued to the applicant.

5. In the rejoinder it is stated that respondent no.4 applied for change of accommodation in May,1997 and the respondents have manipulated the record and are guilty of suppression of facts. These allegations have not been established. The allotment letter issued to private respondent no.4 is dated 15.5.1997 and the Tribunal issued notice to respondents on 21.5.1997. The fact remains that as the applicant had refused the allotment at G.B.Pant Campus, he has to wait for a period of one year before he is considered afresh.

6. In view of the above discussions, this O.A. has no merit. It will, however, be appropriate to observe that as and when the applicant applies after waiting period of one year for a Type III quarter at Meera Bai Polytechnic Campus on vacancy, the respondents shall consider his case. With this observation the O.A. is disposed of. No costs.


(N. Sahu)
Member (Admnv)

rkv.