

7

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

O.A.No. 1451/97

New Delhi this the 12th day of December, 1997.

Hon'ble Shri S.P. Biswas, Member(A)

Shri Kasturi Lal,  
IX/290, R.K. Puram,  
New Delhi-22. .... Applicant

(through Sh. M.L.Chawla, advocate)

versus

1. Estate Officer,  
Directorate of Estates,  
Nirman Bhawan,  
New Delhi.
2. Supdt. Engineer,  
CPWD, Central Stores Dn.,  
Netaji Nagar,  
New Delhi. .... Respondents

(through Sh. S.M. Arif, advocate)

ORDER(ORAL)

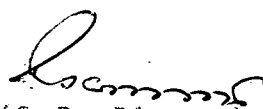
The applicant is aggrieved by the cancellation of quarter allotted to him by letter dated 30.12.1996.

Uncontroverted facts of the case are that as a sequel to the judgement of the Hon'ble Supreme Court in the case of S.S. Tiwari Vs. U.O.I. & Ors. (1997(1) SCC 444), respondents carried out door-to-door inspection of government quarters with a view to detect sub-letting and found that the Quarter No.280/S-IX, R.K. Puram allotted officially in the name of applicant was sub-let to some unauthorised persons. A show cause notice was issued on 23.1.96 and again on 2.8.96 to the applicant to appear before the allotment authorities. The applicant ultimately appeared before them on 4.9.96 stating that he belonged to

1/8

Panipat, his family resides at Panipat and his ration card was made available and issued at the address of Panipat. The said allotment was thus cancelled by letter on 16.11.96. As the applicant did not prefer any appeal against that to the Director of Estates within the stipulated period of 60 days, the case was referred to the Estate Officer who, in turn, after complying with the provisions of PPE Act, 1971 passed the eviction order dated 30.12.96 and the allottee was evicted accordingly. Respondents also submit that the quarter in question already stands allotted to some other person. The applicant did not come with rejoinder rebutting the charges. Applicant was given adequate opportunities to represent his case, but he chose to remain silent till the end of stipulated period.

I find the respondents have rightly followed the procedure in cancelling and finally evicting the applicant from the quarter which was sublet by the applicant to some unauthorised family. In the circumstances, the action of the respondents cannot be faulted. The applicant has not come with clean hands. The O.A., therefore, fails on merits and is accordingly dismissed. No costs.

  
(S.P. Biswas)  
Member (A)

/vv/