

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No.1511 of 1997

New Delhi, this the 29th day of July, 1997

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

Shri Maan Singh s/o Shri Chhotu Ram
r/o D-260, Moti Bagh, New Delhi-21
(By Advocate - Shri H.C.Sharma)

-APPLICANT

Versus

Union of India through Director of Estates,
Dte.of Estates, Nirman Bhavan, New Delhi - RESPONDENT

O R D E R (Oral)

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

The claim in this Original Application is to regularise Government accommodation No. D-260, Moti Bagh, New Delhi allotted to the applicant's father Shri Chhotu Ram.

2. The learned counsel for the applicant submits that the applicant has been sharing the said accommodation with his father since 1.9.1993 and has not been drawing house rent allowance since that date. After superannuation of his father with effect from 30.11.1996 an application was moved for transfer of this accommodation in the name of the applicant. In Para 4(9) of the Original Application it is stated "that neither the applicant nor his father or any other dependent relative owns a house at the place of posting".

3. I have perused the impugned order dated 2.5.1997 (Annexure-A-1). The impugned order clearly states that "Shri Chhotu Ram his father, is a house owner and owns Qr.No.C-791, J.J.Coloney No.2, Nangloi, Delhi-110 041". One of the conditions for transfer of

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Government accommodation in the name of the son, who is also a Government employee and entitled to same pool, is that the family should not own a house in order to be eligible for such a transfer. As the important condition for eligibility has not been complied with in the instant case, the respondent has rejected the claim.

4. The learned counsel for the applicant submits that the so called house is a mere hutment and cannot be equated as a house. It is not for this Tribunal to adjudicate on facts. Prima facie this case is not fit for admission. If the applicant has any grievance on the finding he may file a review petition to the respondent-Director of Estates, or an appeal to the superior authority for reconsideration of the impugned order. He may do so if he chooses within four weeks from the date of this order.

5. The Original Application is dismissed at ~~present~~ *the admission stage.*

N. Sahu
(N. Sahu)
Member (A)

rkv.