

Central Administrative Tribunal, Principal Bench

O.A.No.1605/97

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 24th day of September, 1997

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

Applicant

(By Mrs. Sumedha Sharma, Advocate)

Vs.

1. Lt. Governor
through Commissioner of Police
Police Headquarter, I.P.Estate
M.S.O.Building
New Delhi.

2. Dy. Commissioner of Police
Headquarters(III)
P.H.Q., M.S.O.Building
I.P.Estate
New Delhi.

Respondents

(By Shri Raj Singh, Advocate)

O R D E R (Oral)

The applicant's father-in-law was serving in Delhi Police as a Sub-Inspector. He took voluntary retirement w.e.f. 1.4.1997. The applicant ~~who~~ was enlisted as Woman Constable in Delhi Police in 1991. She applied for regularisation of the quarter which was allotted to her father-in-law. However, the respondents vide impugned order, Annexure A, rejected the application on the ground that there is no provision in Standing Order No.3/91 to regularise a Govt. quarter in the name of daughter-in-law.

2. I have heard the counsel. The learned counsel for the applicant points out that as per the Standing Order No.3/91, Annexure-C, there is a provision under Rule VIII, Appendix-II C(ii) that ad-hoc allotment/regularisation may be made on the death/retirement of a Govt. servant to his son/daughter / brother/wife/brother-in-law including daughter-in-law if the

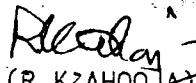
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daughter-in-law was an employee of Delhi Police. The learned counsel for the respondents points out that as per the order dated 23.4.1991 (R-II), the Commissioner of Police has ordered the deletion of the regularisation in favour of the Brother-in-law/Daughter-in-law. In view of this order the learned counsel for the respondents states that the applicant is no longer entitled to the regularisation of the quarter. 6

3. I have considered the matter. The applicant has annexed a copy of the order passed by the Dy. Commissioner of Police on 3.6.1996 by which the Government quarter R-4/2, PC Andrews Ganj has been regularised in the name of W/HC Rita Singh, Daughter-in-law of HC Gurucharan Singh w.e.f. 1.7.1996 on the basis that she was the daughter-in-law of HC Gurucharan Singh. The learned counsel for the respondents submits that this order has been passed at the level of the Commissioner of Police. This order was issued in relaxation of the Rules. However, there is no such mention of such relaxation in the aforementioned order.

4. In the above facts and circumstances of the case, I dispose of this OA with a direction that the applicant will make a representation to the Commissioner of Police and the same will be disposed on the same basis as in the order dated 3.6.1996 within a period of three months from the date of receipt of such representation. In the meantime, the status quo in regard to the possession of the quarter in question will not be disturbed.

OA is disposed of as above. No costs.


(R. K. AHOOJA)
MEMBER(A)

/rao/