

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A.No. 1982/97

New Delhi this the 24th Day of March 1998

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

1. Smt. Chand Khanna,
Wife of Shri V.K. Khanna,
R/o A-136 Pandara Road,
New Delhi-3.
 2. Shri V.K. Khanna,
S/o Shri Ram Lal Khanna,
R/o A-136 Pandara Road,
New Delhi-3
- Petitioners

(By Advocate: Dr. J.C. Madan)

-Versus-

1. Union of India,
Through Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.
 2. The Director of Estates,
Govt. of India,
Nirman Bhawan,
New Delhi.
 3. The Estate Officer and
Assistant Director of Estates
(Litigation),
Directorate of Estates,
Nirman Bhawan,
New Delhi.
 4. The Director of Estates,
Govt. of NCT of Delhi,
Vikas Bhawan,
New Delhi.
- Respondents

(By Advocate: Shri S.K. Gupta for Respondent
Nos. 1,2 and 3)

(By Advocate: Shri M.R. Mishra proxy counsel for
Shri Anand Mishra, counsel for Respondent No. 4)

ORDER (Oral)

Applicant No. 2 retired from service of Delhi Administration on 31.8.1996. During his service he had been allotted accommodation from General Pool, Quarter No. A-136 Pandara Road, New Delhi. On his retirement, applicant No. 1,

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his wife who is also working in Delhi Administration sought regularisation of the said accommodation in her name as per rules. Her grievance is that her application dated 5.4.1997 has not been decided by the respondents.

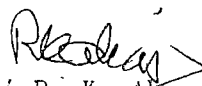
2. Respondents in their reply have stated that the application was not made in the prescribed proforma and for that reason it was not processed. It was necessary to make the application in the prescribed form as the regularisation depends on certain conditions i.e. the applicant was working in the eligible office and also prescribed in the relevant OM under which such regularisation is allowed.

3. Today when the matter came up, the learned counsel for the application Dr. J.C. Madan submitted that application in the prescribed form has also been made on 2.12.1997. This position is admitted by Shri Gupta, learned counsel for the Respondent Nos. 1,2 and 4. Shri Gupta also states that respondents are considering her application and expected to take a decision within two months. He has also submitted that in case a direction is given to dispose of the application within a prescribed time, the respondents will not disturb the status quo with regard to the accommodation in question upto at least one month after the final disposal of the application even if the application for regularisation is rejected.

4. In the light of the above submissions made by the learned counsel for the respondents, this OA is disposed with the direction to the respondents to take a final decision on the application dated 2.12.1997 within a period of two months

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from the receipt of a copy of this order. In the mean time the status quo will be maintained in respect of the accommodation in question. In case the respondents do not allow the application for regularisation, the status quo will be maintained for a period of four weeks thereafter in order to enable the applicant to seek remedy as may be permissible under law. No costs.


(R. K. Anooja)
Member (A)

Mittal