

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-263/97
MA-377/97

New Delhi this the 1st day of Sept. 1997.

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

(9)

1. Sh. Bhim Singh,
S/o late Sh. Ram Nidh Singh,
R/o 4/24, Rouse Avenue,
New Delhi.
2. Smt. Prem Devi,
W/o late Sh. Ram Nidh Singh,
R/o 4/24, Rouse Avenue,
New Delhi. Applicants
(through Sh. J.K. Bali with Sh. Rajat Bali)

versus

1. Union of India through
the Secretary,
Ministry of Urban Development,
Nirman Bhavan, New Delhi.
2. The Director of Printing,
Ministry of Urban Development,
Nirman Bhavan, New Delhi.
3. The Asstt. Manager (Adm./Estates),
Ministry of Urban Development,
Govt. of India Press, Minto Road,
New Delhi.
4. The Officer Incharge,
Govt. of India Press,
Rashtrapati Bhavan,
New Delhi. Respondents
(through Sh. R.P. Aggarwal, advocate)

ORDER

The short question for consideration in this case is whether after obtaining an appointment on compassionate ground, the applicant can legally claim allotment/regularisation of a quarter allotted in the name of his father but belonging to the Press Pool when the appointment of the applicant is under the President Secretariate having a different pool of accommodation.

The brief facts of the case are that the applicant after the death of his father Sh. R.N. Singh, applied for appointment on compassionate ground and retention of Government Quarter No. 4/24, Rouse

Avenue, New Delhi allotted in the name of his father. The applicant got services in the Government of India Press, Rashtrapati Bhavan, New Delhi through direct recruitment. Under the existing rules, an employee, as in the present case, can be considered for regularisation/allotment of the quarter allotted in the name of the parent after conditions stipulated are satisfied. Those conditions apparently have not been fulfilled. It is not in dispute that the entitlement to which son is eligible is different from the entitlement which the ~~father~~^{father} was eligible. Mere fact that the applicant has been appointed on compassionate ground in a central government organisation and the fact that his father was also a central government employee does not make any difference when the entitlements are different. Learned counsel for applicant could not show any rule or provision under which the government accommodation 4/24, Rouse Avenue, New Delhi could be regularised. That apart, proposal for regularisation of the accommodation herein is not covered by norms laid down by the Hon'ble Supreme Court in the case of Shiv Sagar Tiwari Vs. UOI (1996(6)SCC 558). There is no laid down system of ^{the} inter-change of quarters between two pools.

In the circumstances aforementioned, the application fails on merits and is accordingly dismissed.


(S. P. Biswas)

Member (A)

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