

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No.871 of 1997

New Delhi, this the 17th day of September, 1997

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

Harbhajan Singh Ex.ASI (Orv),
S/o Shri Joginder Singh,
Qr.No.1, Type-I, P.S.Sadar
Bazar, Delhi - 110 006

- APPLICANT

(By Advocate - Shri Sama Singh)

Versus

1. Commissioner of Police,
Police Headquarters,
M.S.O.Building, I.P.Estate,
New Delhi-110 002.

2. Sr. Additional Commissioner of
Police (Admn), Police Head-
quarters, M.S.O.Building,
I.P.Estate, New Delhi.

3. Addl. Commissioner of Police
(Operation), Police Head-
quarters, M.S.O.Building,
I.P.Estate, New Delhi.

4. Deputy Commissioner of Police
Police Control Room, Police
Headquarters, New Delhi-2

5. Dy. Commissioner of Police
HQ(III), Police Headquarters,
I.P.Estate, New Delhi-110 002

- RESPONDENTS

(By Advocate - Shri Raj Singh)

J U D G M E N T (Oral)

By Mr. N. Sahu, Member (Admnv)-

The prayer in this Original Application is for a direction to allow the applicant to retain the Government Quarter No.1, Type-I, Sadar Bazar, Delhi till the finalisation of the revision proceedings before the competent authority; and to set aside an order no.2347-49/O.A.Cell/AC-VI/PHQ dated 3.4.1997 of Dy. Commissioner of Police, HQ(III), Delhi by which the applicant has been directed to vacate the Government Quarter no.1, Type-I, Sadar Bazar, Delhi.

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The learned counsel for the applicant submits that by an amendment to the Delhi Police Act, 1978 inserted by Section 25A, a Government servant whose appeal has been rejected may file a revision within a month of receipt of an appellate order by him to the authority superior to the appellate authority. The learned counsel states that in accordance with this statutory provision a revision-petition has already been filed and he states that till the revision-petition is disposed of he may be allowed to continue in Qr.No.1, Type-I, P.S.Sadar Bazar, Delhi. The learned counsel for the respondents has no objection. Accordingly, the respondents are directed to allow the applicant to continue in Government quarter no.1, Type-I, P.S.Sadar Bazar, Delhi till the revision-petition filed before the Commissioner of Police by the applicant on 10.9.1997 is disposed of provided that the applicant is liable to pay to the respondents rent and other charges in accordance with the rules. The Original Application is disposed of. No costs.

rkv.

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