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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

D.A.No.546/94

New Delhi, this the 8th July, 1994.

HON'BLE SHRI C.J.ROY, MEMBER(J).

Shri Manohar Khosla
s/o Late Shri Gauri Shanker Khosla
Assistant, Planning Commission,
Yojna Bhavan, Sansad Marg,
New Delhi.

..Applicant

(By Shri B.B.Raval, Advocate)

Vs.

Union of India, through:

1. The Secretary,
Ministry of Urban Development,
Govt. of India, New Delhi.
2. The Director,
Directorate of Estates,
Govt. of India,
Nirman Bhavan, New Delhi.
3. The Secretary,
Planning Commission,
Govt. of India,
Sansad Marg, New Delhi.

..Respondents.

(By Shri VSR Krishna, Advocate)

ORDER(ORAL)

HON'BLE SHRI C.J.ROY, MEMBER(J)

Heard. The applicant is working as Assistant in the Planning Commission and since 1987 he has applied and trying for allotment of a government quarter. He claims that he was suffering from Psychiatric problem and therefore he is not in a fit condition to move about the offices and thereby is deprived of the allotment of a quarter to him.

2. He claims an interim order in the M.A. No.1789/94 on the ground that he was staying in quarter No.807 Sector No.2 Sadiq Nagar, New Delhi. But this allegation is not found in the O.A. The reliefs claimed by the applicant in the O.A. are quite different from the reliefs claimed by the applicant in the M.A. He claims that his luggage was kept in meter room of the said quarter No.807

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but he was forcibly evicted in his absence and his 'saman' was removed and now he claims that he is on the roads.

3. It is pertinent to note that the Director of Estates, according to An.A6 page 64 has passed order sanctioning allotment of quarter to the applicant which is dated 26/27-3-92. But this order was also not implemented by respondent No.2. However when the applicant came to the Tribunal ~~and~~ ^{my} ~~to~~ filed the O.A., an interim direction as quoted below was passed by this Bench on 10-5-94.

"In the light of the facts mentioned above, the respondents are hereby directed to implement their own sanction order dated 26/27-3-92 within a period of two months from the date of receipt of a copy of this order or show cause against the same."

When the case was again taken up on 31-5-94, this Bench had again passed another order that in view of the fact that the applicant is entitled to allotment of quarter similar to quarter No.807, the respondents are directed to consider allotting the same quarter to him. Subsequently on 6-7-94 the respondents were also called upon to specifically state the position. However this case has taken a curious turn. When the case is posted for 8-7-94, people unconnected with the department have been alleged to have thrown him out. The applicant says that he was in occupation of the quarter. I have heard both sides. Both the counsels, across the bar, agree upon that the O.A. be disposed of finally. The rest of the allegations are not germane to the main case.

4. Having heard the case and keeping in view the sanction order dated 26/27-3-92 of the respondent No.2 to the applicant and also the

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interim order passed by this Bench on 10-5-1994 and further orders passed by this Bench on 6-7-94, I feel it proper, fair, just and reasonable in view of the condition of the applicant and dispose of this O.A. with the following direction by modulating the prayer.

5. The respondents are directed to allot a quarter in accordance with their sanction order dated 26/27-3-1992 within two months from the date of receipt of this order. The C.A. and M.A are disposed of with this order. No costs.

'M'

(C.J. ROY)
Member (J).