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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH.

O.A. NO. 1019/94

New Delhi this the 27th day of May, 1994.

Shri S.R. Adige, Member(A).

Smt. Vinod Kumari,
W/o Late Shri Bengali Singh,
R/o F-2008, Netaji Nagar,
New Delhi.

...Petitioner.

By Advocate Shri D.P. Avninishi.

Vs.

1. The Secretary,
Ministry of Urban Development,
Government of India,
Nirman Bhawan,
New Delhi.

2. Directorate of Estates,
Government of India,
Ministry of Urban Development,
New Delhi.

3. The Estate Officer,
Directorate of Estate,
Government of India,
New Delhi.

...Respondents.

ORDER (1994)

Shri S.R. Adige, Member(A).

This is an application filed by Smt. Vinod Kumari praying that the impugned order dated 4.3.1994 (Compilation No. I) cancelling the allotment of Qr. No. F-2008, Netaji Nagar, New Delhi, be quashed and the respondents be directed not to dispossess her from the said quarter.

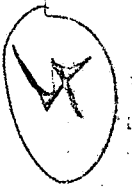
2. According to the petitioner, she was appointed as a Peon on 14.3.1988 on compassionate grounds after her husband had been reported missing since 17.4.1985. She alleges that while she was posted to ADI Section, CBI, Head Office, New Delhi, one Shri Puran Singh, LDC, committed rape against her on 22.6.1988. A police case was registered on 22.7.1988. She states that she did not lodge the report on the same day of the occurrence as she was frightened. According to her, the State case registered

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by the CBI was dismissed by the Additional Sessions Judge, Tis Hazari, Delhi due to the failure of the prosecution to establish the case in the court. Thereafter, she received Memo dated 12.10.1990 containing allegations of misconduct against her. The misconduct alleged was that she offered a bribe to the Officer investigating the rape case initiated on her complaint. An inquiry was conducted and the disciplinary authority by his order dated 7.6.1993 dismissed the petitioner from service. She states that she has filed an appeal against that Order and in the meantime filed O.A. No. 2633/93 on 07.06.1993 before the Tribunal which is still under adjudication. In the meantime, the applicant has received a letter dated 04.03.1994 in which the Government accommodation allotted to her has been cancelled w.e.f. 08.07.1993 and she has been issued a notice, directing her to show cause on 25.05.1994 against the action proposed to be taken to withhold under PP(E.O.U) Act.

3. There are no materials on record to indicate that the applicant has exhausted the remedy available to her of filing an appeal against the Assistant Director of Estate's Order dated 04.03.1994 cancelling the allotment of the quarter, before the Director of Estates.

4. As regards the notice calling on her to Show-Cause on 25.05.1994 against eviction, it is open to her to satisfy the authorities that she should not be evicted from the said quarter.



5. Hence this application is premature, and no interference in this matter is called for at this stage. The Original Application No.1019/94 is, therefore, dismissed at the admission stage itself.

S.R. Adige
(S.R. ADIGE)
MEMBER (A)

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