

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 984/94

(3)

New Delhi this the 9th day of January 1995

Shri P.T.Thiruvengadam, Member (A)

Dr. M.S.Sirohi
S/o Sh. Ganga Prasad
R/o D-22 Govt. Qtrs, Dev Nagar,
New Delhi

.....Applicant

By Advocate Shri D.R.Gupta

Versus

1. Union of India
through Directorate of Estates
Ministry of Urban Development,
Nirman Bhawan, New Delhi
2. Director General,
Central Industrial Security Force,
(Ministry of Home Affairs),
13, CGO's Complex, Lodhi Road,
New Delhi-110003.

.....Respondents.

By Advocate Shri V.S.R. Krishna

ORDER (Oral)

Sh. P.T.Thiruvengadam

The applicant retired as Medical Officer in the Central Industrial Security Force (CISF) on 30-4-93. He was appointed temporarily in the same organisation w.e.f. 1-5-93 as Medical Officer, as per copy of the orders enclosed as Annexure A-2 to the OA.

The applicant had been allotted Govt. accommodation before his retirement. The respondents have allowed the applicant to retain his accommodation for a total period of 8 months, subsequent to the date of retirement, viz; 30-4-93;. Action for eviction has been taken subsequently, since the applicant has continued to retain the accommodation. This OA has been filed for setting aside the eviction proceedings.

The Ld. Counsel for the respondents refers to para 4.3 of the reply which brings out that the applicant has not furnished sufficient proof of his re-employment. The certificate issued by CISF dt. 21-3-94 (Annexure A-2) only states that the applicant is working in the department as Doctor for medical treatment of CISF

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personnel. Respondents are not satisfied with this certificate and are insisting on full details of the terms and conditions of re-employment of the applicant.

Ld. Counsel for the applicant refers to the letter of the Respondent No-2 addressed to Respondent No-1. His case is respondent No-1 has not replied to the recommendation given by the employer of the applicant.

Be that as it may, it is now prayed that the applicant may be given an opportunity to make a final representation for dispelling the doubts in the mind of Respondent No-1. The Ld. Counsel for the applicant also prays that Respondent No-1 may be directed to finally dispose of the representation of the applicant to be submitted now, giving full details.

In the circumstances the applicant may file a final representation bringing out all necessary details in support of his case. He should submit this representation within 15 days from today. The employing authority viz; Respondent No-2 should forward the same within 15 days thereafter to Respondent No-1. Respondent No-1 is directed to finally dispose of the representation of the applicant duly forwarded by the department, within 2 months from today.

The applicant shall be allowed to retain the accommodation upto the end of March'95 to enable him to make alternative accommodation after disposal of the representation by R-1, in case the disposal is not in his favour. The delayed submission/forwarding of the representation will not extend the above date.

Respondent No-1 is given liberty to charge rent as per rules.

OA is disposed of, as above. No costs.

p. J. Jha

(P.T.THIRUVENGADAM)
Member (A)

cc.